

## ACT 29

S.B. NO. 878

A Bill for an Act Relating to Publication of Hearing Notices.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The State is continuously examining ways to develop more efficient and cost-effective means of operation. Developing a more streamlined, consistent, and cost-effective means of providing notice of public hearings is one way to promote efficient and cost-effective operations.

The legislature finds that one particular area in which public notice may be exceeding that which is necessary to accomplish its specific objectives is where state law calls for the publication of notice statewide, but where the affected public resides on only one or more islands and not statewide. Where applicable, by limiting the publication of hearing notices to only those persons residing in the affected geographic areas, costs of publication will be reduced dramatically, while still ensuring that notices are directed to persons affected by the proposed activity. For example, if the proposed limitation on the scope of publication of notice had been incorporated into state law during fiscal year 2006-2007, the public utilities commission would have saved approximately \$74,000, or forty-five per cent, of its advertising expenditures.

The purpose of this Act is to clarify the type of notice required for public hearings held by the public utilities commission in its regulation of utility rates and ratemaking procedures.

SECTION 2. Section 269-12, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Any public hearing held pursuant to section ~~[269-16(e);]~~ 269-16(b), shall be a noticed public hearing or hearings on the island or islands on which the utility ~~[is situated.]~~ provides utility services. Notice of the hearing, with the purpose thereof and the date, time, and place at which it will open, shall be given not less than once in each of three weeks ~~[statewide,]~~ in the county or counties in which the utility provides utility service, the first notice being not less than twenty-one days before the public hearing and the last notice being not more than two days before the scheduled hearing. The applicant or applicants shall notify their consumers or patrons of the proposed change in rates and of the time and place of the public hearing not less than one week before the date set, the manner and the fact of notification to be reported to the commission before the date of hearing.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 30, 2009.)