

VETO

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

S.B. NO. 1206
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT VETO OVERRIDE

RELATING TO COUNTIES.

ACT No. 31
Approved: [Signature]
Dated: July 15, 2009

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 49-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§49-3. Additional powers of counties. (a) In addition to
4 the powers [~~which~~] that it may now have, any county under this
5 chapter may:

6 (1) Construct, acquire by gift, purchase, or the exercise
7 of the right of eminent domain, reconstruct, improve,
8 better, or extend any undertaking, within or without
9 the county, or partially within or partially without
10 the county, and acquire by gift, purchase, or the
11 exercise of the right of eminent domain, lands or
12 rights in land or water rights in connection
13 [~~therewith~~] with the land rights or undertake the
14 establishment and administration of a loan program as
15 authorized by the law;

16 (2) Operate and maintain any undertaking and maintain a
17 loan program as authorized by law and furnish the





1 services, facilities, and commodities thereof for its
 2 own use and for the use of public and private
 3 consumers within or without the territorial boundaries
 4 of the county;

5 (3) Issue its revenue bonds to finance in whole or in part
 6 the cost of the acquisition, purchase, construction,
 7 reconstruction, improvement, betterment, or extension
 8 of any undertaking or the establishment and
 9 administration of any loan program as authorized by
 10 law;

11 (4) Impose, prescribe, and collect rates, rentals, fees,
 12 and charges for the use and services of, and the
 13 facilities and commodities furnished by, the
 14 undertaking or the use and services of the loan
 15 program as authorized by law, as provided in section
 16 49-10; and

17 (5) Pledge to the punctual payment of the revenue bonds
 18 and interest thereon or covenant to pay into any
 19 special funds from which any revenue bonds may be
 20 payable, all or any portion of the revenue of the
 21 undertaking or loan program or of any part thereof, or



1 the user taxes derived therefrom, or any combination
2 of both (including improvements, betterments, or
3 extensions thereto thereafter constructed or acquired)
4 sufficient, among other things, to pay the revenue
5 bonds and interest thereon as the same shall become
6 due and create and maintain reasonable reserves
7 therefor.

8 (b) The governing body of the county in determining the
9 cost may include [all]:

10 (1) All costs and estimated costs of the issuance of the
11 revenue bonds [,all];

12 (2) All architectural, engineering, inspection, financial,
13 and legal expenses [,all];

14 (3) All costs of establishing or administering a loan
15 program authorized by law [,the];

16 (4) The cost of causing the payment of the principal or
17 interest or both of the revenue bonds to be insured or
18 guaranteed [,the];

19 (5) The initial cost of any support facility obtained as
20 permitted by section 49-8 [,]; and [interest which it]



1 (6) Interest that is estimated will accrue on the bonds
2 during the construction or origination period and for
3 six months thereafter.

4 (c) Subject to the approval of the governing body, or in
5 counties with a population of five hundred thousand or more if
6 authorized by a county charter to issue revenue bonds in its own
7 name, a board may exercise all or any part of the powers vested
8 in the county pursuant to this chapter but only with respect to
9 an undertaking or loan program under the jurisdiction of [such]
10 the board. In the event a board [~~shall exercise~~] exercises any
11 of the powers vested in the county pursuant to this chapter, the
12 term governing body as used in this chapter shall be deemed to
13 mean the board, and the term director of finance shall be deemed
14 to mean the chief financial officer of the board."

15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on July 1, 2009.

