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# A BILL FOR AN ACT

RELATING TO WASTEWATER.

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

1           SECTION 1. Section 27-21.6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§27-21.6 Functions reassigned to the counties.** The  
4 following functions are [~~hereby~~] reassigned to the several  
5 counties:

6           (1) The medical care of inmates of county jails;

7           (2) The rendering of medical investigatory services  
8 requested by the police;

9           (3) Physical examinations of employees to the extent that  
10 [~~such~~] those functions had been performed immediately  
11 prior to the adoption of Act 97, Session Laws of  
12 Hawaii 1965;

13           (4) The care and treatment of county workers' compensation  
14 cases to the extent that [~~such~~] those functions had  
15 been performed immediately prior to the adoption of  
16 Act 97, Session Laws of Hawaii 1965; and



1 (5) The regulation of the design, construction, and  
2 operation of individual wastewater systems and private  
3 wastewater treatment works[-]; provided that [~~the~~]:

4 (A) The transfer of this function to each county  
5 shall take place on the date that the expenditure  
6 of start-up funds is made by the State to [~~such~~  
7 the county for this purpose[-]; and

8 (B) Except for cesspools in a special management  
9 area, as defined in section 205A-22, counties may  
10 permit the use of an otherwise authorized  
11 individual wastewater treatment system as an on-  
12 site means of wastewater disposal if:

13 (i) The individual wastewater treatment system  
14 pre-dates a county-operated wastewater  
15 treatment system; and

16 (ii) The county determines that allowing the  
17 individual wastewater treatment system is  
18 fair and equitable.

19 No later than December 31, 2014, the counties  
20 shall adopt rules or ordinances to effectuate  
21 this subparagraph."



1           SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.  
3           SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Counties; Wastewater; Individual Systems

**Description:**

Allows counties to permit the use of an otherwise authorized individual wastewater treatment system, except cesspools in a special management area, when it pre-dates a county-operated wastewater treatment system and the county determines that allowing the individual wastewater treatment system is fair and equitable. Requires counties to adopt rules or ordinances no later than December 31, 2014. (CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

