Honolulu, Hawaii

February 2010

RE: H.B. No. 2603

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2603, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES,"

begs leave to report as follows:

The purpose of this bill is to require that certain utility owners pay their half of the costs of any betterment, relocation, or undergrounding of certain highway facilities to the state or county highway agency upfront, within 30 days after the utility owner's share of the costs is determined.

The Department of Transportation supported this bill. Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, and Kauai Island Utility Cooperative opposed this measure. The Gas Company submitted comments.

Your Committee has amended this bill by replacing its contents with provisions that require utility entities to provide their share of funds in a timely manner in any contract involving state or county funds and supplemental funds from utility entities to ensure that sufficient funds are available to cover the amount required by a contract.

Your Committee finds that this bill, as amended, will set into motion the changes necessary to ensure greater coordination between state, county, and public utility agencies to implement

HB2603 HD2 HSCR CPC HMS 2010-1874

much needed infrastructure improvements in a fair way. While more discussion is necessary to further develop and improve upon this initiative, this is a good starting point for the stakeholders to move forward from.

Accordingly, your Committee has further amended this bill by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2603, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2603, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROBERT N. HERKES, Chair

State of Hawaii



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:	Date:	2/10	1200
HB 2603, HD1	TRN, CPC, FIN		910	12010
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	V			
2. WAKAI, Glenn (VC)				
3. BELATTI, Della Au				V
4. CABANILLA, Rida				
5. CARROLL, Mele	V			
6. ITO, Ken	V			
7. KARAMATSU, Jon Riki	V			
8. LUKE, Sylvia	V			
9. McKELVEY, Angus L.K.	V			
10. MIZUNO, John M.				
11. MORITA, Hermina M.	V			
12. SOUKI, Joseph M.	V			
13. TSUJI, Clift	V,			
14. MARUMOTO, Barbara C.	V			
15. THIELEN, Cynthia				
	-			
	1			
TOTAL (15)	1 12	P	\varnothing	3
The recommendation is: Adopted Not Adopted did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				