STAND. COM. REP. NO. 537

Honolulu, Hawaii 66 18 , 2011

RE: H.B. No. 1342 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1342, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," .

begs leave to report as follows:

The purpose of this bill is to make the process of installation and repair of broadband more efficient. Specifically this bill will:

- (1) Exempt broadband infrastructure improvements from state or county permitting requirements for five years; and
- (2) Exempt telecommunications companies from replacing existing utility poles when installing new or improving existing telecommunications cables.

The Department of Business, Economic Development, and Tourism, the Department of Commerce and Consumer Affairs, the Office of Environmental Quality Control, Hawaiian Telcom, Akaku: Maui Community Television, Hawaiian Electric, Hawaii Electric Light Company, Maui Electric Company, The Chamber of Commerce of Hawaii supported this measure. The Department of Transportation supported the intent of this bill. The Department of Planning and Permitting of the City and County of Honolulu opposed this bill. tw telecom provided comments.



STAND. COM. REP. NO. Page 2

Your Committee notes that tw telecom pointed out that this bill does not address the length of time it takes for a pole owner to make the determination of whether the overall weight load on the utility pole exceeds maximum utility pole safe weights. Your Committee requests that the Committee on Finance look into this issue.

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. 1342, H.D. 1, and recommends that it be referred to the Committee on Finance.

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

ROBERT N. HERKES, Chair

HB1342 HD1 HSCR CPC HMS 2011-2364

HSCR 537

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1342 HD1	ERB, UC,	F(N Date	2/14/	2011
□ 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)	/			
2. YAMANE, Ryan I. (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				\sim
5. CARROLL, Mele				
6. ITO, Ken	/			
7. KEITH-AGARAN, Gilbert S.C.				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				
10. MORITA, Hermina M.			-	
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. CHING, Corinne W.L.	\sim		••	
15. MARUMOTO, Barbara C.			· · · · · · · · · · · · · · · · · · ·	
16. THIELEN, Cynthia				
TOTAL (16)	13			3
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				