STAND. COM. REP. NO. 1524 Honolulu, Hawaii April 8, 2011 RE: S.B. No. 1161 S.D. 1 H.D. 3

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

Sir:

Your Committee on Finance, to which was referred S.B. No. 1161, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS, "

begs leave to report as follows:

The purpose of this bill is to expedite the deployment of high-speed broadband technology in Hawaii by exempting:

- (1) Certain broadband infrastructure improvements from state and county permitting requirements; provided that the improvements are within existing public rights-of-way, public utility easements, or use existing telecommunications infrastructure, and do not make significant changes to those existing sites; and
- (2) A person or entity from any requirement to upgrade or replace existing utility poles when using that pole to install new or improved existing telecommunications cables, under certain conditions.

Hawaiian Telcom supported this bill. The City and County of Honolulu Department of Planning and Permitting opposed this bill. The Department of Land and Natural Resources; Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Office of Environmental Quality Control;



STAND. COM. REP. NO. Page 2

Hawaiian Electric Company; Hawaii Electric Light Company; and Maui Electric Company offered comments.

Your Committee has amended this bill by:

- Adding safety and engineering requirements when installing new or improved existing telecommunications cables; and
- (2) Adding a provision that public utilities and broadband providers shall be allowed to recover prudently incurred costs related to the planning, engineering, construction, installation, or replacement of utility poles to accomplish the deployment of high-speed broadband technology.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1161, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1161, S.D. 1, H.D. 3.

> Respectfully submitted on behalf of the members of the Committee on Finance,

MARCUS R. OSHIRO, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature



## **Record of Votes of the Committee on Finance**

Bill/Resolution No.: SB 1161, SD1, HD2	Committee Referral: ERB, CPC, FIN			Date: 4/4/11		
□ 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)						
FIN Members		Ayes	Ayes (WR)	Nays	Excused	
1. OSHIRO, Marcus R. (C)		$\checkmark$				
2. LEE, Marilyn B. (VC)		<i>✓</i> ,				
3. CHONG, Pono						
4. CHOY, Isaac W.		V				
5. COFFMAN, Denny		/				
6. CULLEN, Ty						
7. HAR, Sharon E.		V				
8. HASHEM, Mark J.						
9. ICHIYAMA, Linda						
10. JORDAN, Jo		<i>、</i>				
11. LEE, Chris		/				
12. MORIKAWA, Dee		/				
13. TOKIOKA, James Kunane		V				
14. YAMASHITA, Kyle T.						
15. MARUMOTO, Barbara C.						
16. RIVIERE, Gil		$\nu$				
17. WARD, Gene						
TOTAL (17)		16	$\mathcal{O}$	$\bigcirc$	/	
The recommendation is: Adopted If joint referral, did not support recommendation.						
Vice Chair's or designee's signature:Maily B. Lev						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						