

STAND. COM. REP. NO. 2486

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2756
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2756, S.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 measure is to clarify the cost-sharing requirement for public utilities and other entities that occupy state or county rights-of-way for relocating their facilities due to highway development projects or undergrounding facilities.

Your Committee received written comments in support of this measure from Hawaiian Electric Company. Comments in opposition were submitted by the City and County of Honolulu Board of Water Supply and the Kauai Island Utility Cooperative. The written comments may be reviewed on the Legislature's website.

Your Committee finds that this measure will clarify the division of costs between public and private entities that share public highway rights-of-way and provide for the consistent application of the law.

More specifically, this measure provides that a utility except for a telecommunications carrier utility owner, shall pay its share of betterment or relocation costs to the state or county agency thirty days prior to removal, relocation, replacement, or reconstruction of utility facilities, while a state or county agency is required to pay its full share of cost thirty days prior



to construction. Final cost share shall be based on the project's actual cost and subject to review and mutual agreement of the parties. When federal funds are available, they be used for eighty per cent of the cost of undergrounding existing utilities.

Your Committee has amended this measure by making technical nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2756, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2756, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

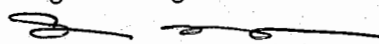


DONNA MERCADO KIM, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2756 SDI	CPN/TIA, WAM	2/22/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton				/
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
TOTAL	10	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes