

STAND. COM. REP. NO.

**553**

Honolulu, Hawaii

**MAR 04 2011**

RE: S.B. No. 1161  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1161, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to facilitate telecommunications and information development by exempting broadband infrastructure improvements from state and county permitting requirements for five years and exempting replacements of existing utility poles related to installation or improvement of telecommunications cables from state and county permitting requirements.

Your Committee received testimony in support of this measure from the University of Hawai'i System, The Chamber of Commerce of Hawaii, and Hawaiian Telcom. Your Committee received testimony in support of the intent of this measure from the Department of Transportation; Department of Commerce and Consumer Affairs; Hawaiian Electric Company, Inc.; and tw telcom. Your Committee received testimony in opposition to this measure from the Office of Environmental Quality Control, Department of Planning and Permitting of the City and County of Honolulu, and a member of the Maui County Council.

Your Committee finds that the issues raised in testimony presented on this measure by public and private stakeholders demonstrate the need for continued collaboration among all interested parties to ensure that progress in making broadband

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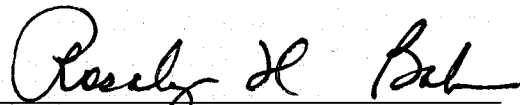


information services accessible to all residents of this State. Your Committee further finds that deploying and improving broadband infrastructure is critical to enabling the State to diversify its economy, attract new businesses, and create twenty-first century jobs for residents in all parts of the State. Your Committee encourages all relevant state, local, and private agencies to put aside narrow jurisdictional concerns and to work collaboratively to move broadband deployment forward.

Your Committee notes that Act 199, Session Laws of Hawaii 2010, created and funded a work group to develop policies and procedures for streamlining permitting processes to enable the efficient deployment of broadband infrastructure. Your Committee further notes that although the previous Governor declined to release monies appropriated from the Compliance Resolution Fund to fund the activities of the work group, that funding source remains available and accessible to the Cable Television Division of the Department of Commerce and Consumer Affairs. Your Committee encourages the Administrator of the Cable Television Division to use the funds appropriated by Act 199, Session Laws of Hawaii 2010, to convene the stakeholders on this issue and to work expeditiously toward resolving outstanding issues and concerns.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1161, S.D. 1, and recommends that it pass Third Reading.

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




ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>SB 1161, SD1 EDT/PGM, CPN</b>	Committee Referral: <b>CPN</b>	Date: <b>3-2-11</b>		
<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 checked="" 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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)		✓		
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.				✓
SOLOMON, Malama				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>3</b>
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	<input checked="" type="checkbox"/> Goldenrod Committee File Copy	

\*Only one measure per Record of Votes