

STAND. COM. REP. NO.

1351

Honolulu, Hawaii

March 24, 2017

RE: S.B. No. 1201
S.D. 2
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 1201, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TECHNOLOGY,"

begs leave to report as follows:

The purpose of this measure is to facilitate the deployment of high-speed broadband infrastructure in Hawaii by:

- (1) Specifying that the State and counties cannot prohibit, regulate, or charge for the co-location of small wireless facilities or small wireless facilities networks beyond the provisions of this measure;
- (2) Providing various state and county zoning rules and classifications regarding the co-location of small wireless facilities and small wireless facilities networks; and
- (3) Specifying the application process and rates for co-location.

The Department of Transportation; Department of Business, Economic Development and Tourism; Office of Planning; The Chamber of Commerce Hawaii; Maui Chamber of Commerce; Verizon

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Communications, Inc.; Hawaiian Electric Company, Inc., and its subsidiaries Hawaii Electric Light Company, Inc. and Maui Electric Company, Limited; Cellular Telecommunications and Internet Association; AT&T Services, Inc.; Mobilitie, LLC; and Maui Hotel & Lodging Association testified in support of this measure. The Office of Mayor of the City and County of Honolulu, Airport Concessionaires Committee, Hawaii Council of Mayors, and one concerned individual testified in opposition to this measure. The Department of Commerce and Consumer Affairs, Hawaiian Telcom, and Charter Communications, Inc. commented on this measure.

After careful consideration, your Committee has amended this measure by removing its contents and replacing it with provisions that:

- (1) Establish a broadband task force under the administration of the Department of Business, Economic Development, and Tourism, to develop a statewide broadband plan and submit a report to the Legislature; and
- (2) Specify that this measure shall take effect upon its approval; provided that this measure shall not take effect if legislation that establishes or amends conditions under which the State and counties may establish a collocation permitting, application, review and approval process for telecommunications companies proposing to install broadband infrastructure on state or county structures, utility poles, light standards, or buildings, is not enacted by the Legislature during the Regular Session of 2017.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1201, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as S.B. No. 1201, S.D. 2, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



RYAN T. YAMANE Chair



