

Honolulu, Hawaii

FEB 17 2017

RE: S.B. No. 1201
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Economic Development, Tourism, and Technology and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 1201 entitled:

"A BILL FOR AN ACT RELATING TO TECHNOLOGY,"

beg leave to report as follows:

The purpose and intent of this measure is to facilitate the deployment of high-speed broadband infrastructure in Hawaii, including wireless facilities, by:

- (1) Establishing limits on the State's and counties' authority to prohibit, regulate, or charge for the co-location of small wireless facilities or small wireless facilities networks;
- (2) Specifying certain sites where small wireless facilities or small wireless facilities networks may be located, including conditions and maximum fees for location and co-location; and
- (3) Establishing an application process for co-location.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; State of Hawaii, Office of Planning; AT&T; CTIA; Mobilitie; and Sprint. Your Committees received testimony in opposition to this measure from Hawaiian Telcom. Your Committees received comments on this measure from the Department of Commerce



and Consumer Affairs, Cable Television Division; and Hawaiian Electric Company, Inc.

Your Committees find that broadband technology is now a critical part of infrastructure and that it is important to facilitate the deployment of high-speed broadband technology for the future global connectivity and economic viability of the State. Broadband technology is essential across multi-sector industries and provides for enhanced educational opportunities, expansion of telehealth capacity, strengthening safety and civil defense communications, increasing economic competitiveness, addressing consumer privileges, and providing tourism services. Your Committees find that this measure will support economic development and innovation in the State related to the increased demand for broadband connectivity.

Your Committees have amended this measure to:

- (1) Establish the rate produced by applying the formula adopted by the Federal Communications Commission for telecommunication pole attachments in 47 C.F.R. 1.1409(e)(2) as the maximum rate for co-location of a small wireless facility on state or county structures, utility poles, or light standards located within all public rights-of-way and property, rural or agricultural district lands, and urban district lands;
- (2) Specify that if the Federal Communications Commission adopts a rate formula for small wireless facility attachments, that adopted rate shall apply; and
- (3) Make technical, nonsubstantive amendments for the purposes of clarity and consistency.

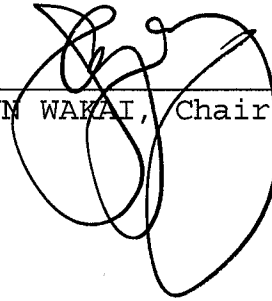
As affirmed by the records of votes of the members of your Committees on Economic Development, Tourism, and Technology and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1201, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1201, S.D. 1, and be referred to your Committees on Commerce, Consumer Protection, and Health and Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Economic
Development, Tourism, and
Technology and Public Safety,
Intergovernmental, and Military
Affairs,



CLARENCE K. NISHIHARA, Chair

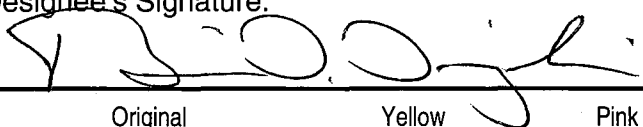


GLENN WAKAI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i


Record of Votes
Committee on Economic Development, Tourism, and Technology
ETT

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1201	ETT/PCM, OPH/WAM	2/3/17		
<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
WAKAI, Glenn (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BAKER, Rosalyn H.				✓
GALUTERIA, Brickwood	✓			
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1
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

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB1201	Committee Referral: ETT/PSM, CPH/WAM	Date: 2-3-2017		
<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
NISHIHARA, Clarence K. (C)	/			
WAKAI, Glenn (VC)	/			
BAKER, Rosalyn H.				/
IHARA, Jr., Les				/
THIELEN, Laura H.	/			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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