

STAND. COM. REP. NO.

106

Honolulu, Hawaii

February 9, 2017

RE: H.B. No. 624

H.D. 1

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

Sir:

Your Committee on Intrastate Commerce, to which was referred
H.B. No. 624 entitled:

"A BILL FOR AN ACT RELATING TO THE INSTALLATION OF
INFRASTRUCTURE,"

begs leave to report as follows:

The purpose of this measure is to support the installation of
wireless technology for the delivery of broadband technology in
the State by:

- (1) Clarifying the telecommunications exemptions permitted
by Act 151, Session Laws of Hawaii 2011, to include
small wireless facilities;
- (2) Repealing and codifying in Hawaii Revised Statutes
telecommunications provisions of Act 151, Session Laws
of Hawaii 2011, that are permanent and general; and
- (3) Expanding the definition of "wireless communications
antennas" to include small wireless facilities.



AT&T, Verizon, Maui Hotel & Lodging Association, and Mobilitie supported this measure. The Department of Business, Economic Development and Tourism; Office of Environmental Quality Control; Office of Planning; Cable Television Division of the Department of Commerce and Consumer Affairs; Hawaiian Electric Company, Inc.; Hawaii Electric Light Company, Inc.; Maui Electric Company, Limited; Hawaiian Telcom; and Charter Communications, Inc. offered comments on this measure.

Your Committee has amended this measure by:

- (1) Adding wireline facilities to the telecommunications exemptions permitted by Act 151, Session Laws of Hawaii 2011;
- (2) Clarifying state and county permitting and approval process exemptions for specific broadband-related infrastructure installation, including the installation of small wireless or wireline facilities, to be specific to state or county utility poles;
- (3) Allowing the state or counties to impose reasonable and nondiscriminatory charges on facilities collocated on government property and removing the proposed \$20 annual fee imposed on small wireless facilities and small wireless facilities networks;
- (4) Removing from the proposed definition of "small wireless facilities" the exemption that allowed deployed equipment not visible from public spaces at the ground level from 250 feet or less to be omitted from the calculation of volumetric limits;
- (5) Allowing wireless communication antennas as a permissible use in rural districts under Section 205-2, Hawaii Revised Statutes;
- (6) Changing its effective date to January 1, 2009 to promote further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 624, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 624, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Intrastate
Commerce,



TAKASHI OHNO, Chair



