STAND. COM. REP. NO.

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:

- 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.



STAND. COM. REP. NO. 106 Page 2

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:

- 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, 2099 to promote further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.



STAND. COM. REP. NO. 106 Page 3

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,

Kadi

TAKASHI OHNO, Chair



State of Hawaii House of Representatives The Twenty-ninth Legislature



Record of Votes of the Committee on Intrastate Commerce

Bill/Resolution No.: HB 624	Committee Referral:	FIN Date	2/1/17	
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: θ Pass, unamended (as is)Pass, with amendments (HD) θ Hold θ Pass short form bill with HD to recommit for future public hearing (recommit)				
IAC Members	Ayes	Ayes (WR)	Nays	Excused
1. OHNO, Takashi (C)	V			
2. CHOY, Isaac W. (VC)				and the surfacement
3. CACHOLA, Romy M.				
1 ITO Kon				
4. ITO, Ken				
5. ONISHI, Richard H.K.				
6. TOKIOKA, James Kunane			aladiyan ya analariya ila a baye3	<u>n, 96 (Bug_i, 1919, 1114</u>
7. WOODSON, Justin H.				
8. WARD, Gene	/			- · · · · ·
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TOTAL (8)	8			
The recommendation is:				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				