

STAND. COM. REP. NO.

**2827**

Honolulu, Hawaii

**MAR 02 2018**

RE: S.B. No. 2704  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2704, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WIRELESS BROADBAND FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the policy and permitting framework for the installation of a technologically advanced wireless broadband network in the State.

More specifically, the measure:

- (1) Establishes a process to upgrade and support small wireless facilities and to modify or replace utility poles associated with small wireless facilities;
- (2) Establishes a permitting, application, review, and approval process for wireless service providers to install wireless facilities on state- or county-owned utility poles, or install utility poles in public rights of way; and
- (3) Authorizes wireless communication antennas in rural districts.



Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; the Department of Transportation; the Office of Enterprise Technology Services; OCC Legislative Priorities Committee, Democratic Party of Hawaii; Maui Hotel & Lodging Association; Sprint; Verizon Wireless; AT&T; the Maui Chamber of Commerce; the Hawaii Lodging and Tourism Association; and CTIA.

Your Committee received written comments in opposition to this measure from a member of the Maui County Council, Charter Communications, and one individual.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs and the Office of the Mayor of the City and County of Honolulu.

Your Committee finds that the availability of an advanced wireless broadband network is the key to many of the State's economic development initiatives. The State currently ranks among the nation's lowest in broadband speeds available to consumers and in wireless broadband service availability. Your Committee believes that encouraging the development of a robust wireless broadband network throughout the State is integral to competitiveness and will improve network capacity to meet consumer demand.

Your Committee has amended this measure by:

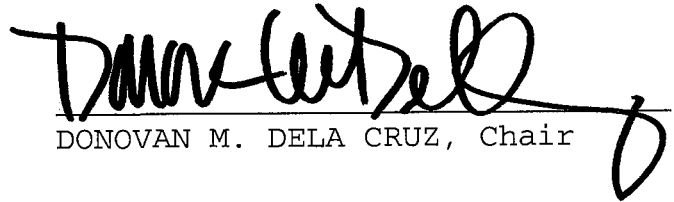
- (1) Clarifying that the processes established by this measure shall not apply to state and county poles, related structures, sites, or facilities that support public safety, law enforcement, or emergency communications;
- (2) Specifying that the State or a county may require a wireless provider to consider installing and operating small wireless facilities and utility poles in rural districts where economically feasible;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and



- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2704, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2704, S.D. 2.

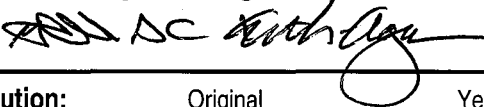
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB 2704, SDI</b>	Committee Referral: <b>ETT/CPH, WAM</b>	Date: <b>2/28/18</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 type="checkbox"/> Pass, unamended <span style="margin-left: 100px;"><input checked="" type="checkbox"/> Pass, with amendments</span> <span style="margin-left: 100px;"><input type="checkbox"/> Hold</span> <span style="margin-left: 100px;"><input type="checkbox"/> Recommit</span> <span style="margin-left: 100px;">2312</span> <span style="margin-left: 100px;">2311</span> <span style="margin-left: 100px;">2310</span> <span style="margin-left: 100px;">2313</span>				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
GALUTERIA, Brickwood	X			
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i	X			
KIDANI, Michelle N.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
<b>TOTAL</b>	<b>11</b>			
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature: 				
Distribution:            Original            Yellow            Pink            Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes