

STAND. COM. REP. NO.

361

Honolulu, Hawaii

FEB 18 2021

RE: S.B. No. 851  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 851 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that certain small wireless facilities and associated modified or replaced utility poles shall be classified as permitted uses and shall not be subject to zoning review or zoning approval if they are deployed in an underserved area or unserved area; and
- (2) Define "underserved area" and "unserved area".

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; and Verizon. Your Committee received testimony in opposition to this measure from Mahana Weddings Maui; Keep Your Power Hawaii; Keep Your Power, Kauai; and fifty-seven individuals.

Your Committee finds that broadband is increasingly intertwined with the daily functions of modern life. Your Committee further finds that nearly one hundred thousand residents of Hawaii have only one wired service provider available at their




residence address, nearly twenty-two thousand residents have no wired internet providers offering service at their residence, and over forty thousand residents of Hawaii do not have a wired connection capable of high-speed internet. This measure will facilitate the development of broadband infrastructure.

Your Committee also notes that numerous testifiers expressed concerns about the potential impacts of this measure on the ability of counties and local communities to make their own zoning and permitting decisions, and that consideration of these concerns may merit further discussion as this measure proceeds in the legislative process.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 851, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 851, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Government  
Operations,

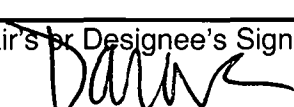


SHARON MORIWAKI, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Government Operations**  
**GVO**

Bill / Resolution No.:* <b>SB 851</b>	Committee Referral: <b>GVO, JDC</b>	Date: <b>2/11/21</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 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
MORIWAKI, Sharon Y. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHANG, Stanley	/			
GABBARD, Mike	/			
FEVELLA, Kurt				/
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes