

STAND. COM. REP. NO.

656

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 32
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 Commerce and Consumer Protection, to which was referred S.B. No. 32 entitled:

"A BILL FOR AN ACT RELATING TO INFRASTRUCTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to require public water or sewer utilities to consider the disruption to transportation as a criterion in planning future maintenance.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and the Public Utilities Commission.

Your Committee finds it is important to prioritize the maintenance of utility infrastructure, but also recognizes such maintenance can cause significant traffic congestion. This measure would help limit the disruptions to traffic and transportation that arise from planned utility maintenance.

Your Committee notes the concerns raised in testimony that this measure, as currently drafted, fails to recognize that public water and sewer utilities are not the only utilities with underground infrastructure and this measure would only affect primarily rural water and sewer utility companies regulated by the Public Utilities Commission. Because installation, maintenance, and retirement of underground infrastructure, whether the utility



is regulated by the Public Utilities Commission or is a municipal entity, can affect traffic transportation, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Deleting language that would have required public water and sewer utilities regulated under chapter 269, Hawaii Revised Statutes, to consider the disruption to traffic and transportation as a criterion in planning future maintenance;
- (2) Inserting language into chapter 264, Hawaii Revised Statutes, to clarify that any public utility seeking a permit to disturb a state highway shall consider the disruption to traffic and transportation as a criterion in planning future maintenance;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 32, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 32, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB32	AEN/TRS, CPN	02/24/2021		
<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
BAKER, Rosalyn H. (C)	/			
CHANG, Stanley (VC)	/			
MISALUCHA, Bennette E.	/			
NISHIHARA, Clarence K.	/			
RIVIERE, Gil	/			
SAN BUENAVENTURA, Joy A.	/			
FEVELLA, Kurt	/			
TOTAL	7	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes