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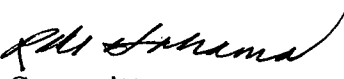
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**COUNTY COUNCIL**  
COUNTY OF MAUI  
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[www.MauiCounty.us](http://www.MauiCounty.us)

April 6, 2018

MEMO TO: Patrick K. Wong  
Corporation Counsel

F R O M: Riki Hokama, Chair   
Budget and Finance Committee

SUBJECT: **FINANCE DIRECTOR'S QUARTERLY AND CAPITAL IMPROVEMENT PROJECTS ("CIP") REPORTS** (BF-4(1))

At its meeting of March 28, 2018, the Budget and Finance Committee reviewed the Director of Finance's Quarterly Report and Capital Improvement Projects Report for Fiscal Year July 1, 2017 to June 30, 2018 (Second Quarter ending December 31, 2017). The Committee discussed the Public Safety Radio System Replacement project.

The Committee was informed that the State legislature is considering SB 2704 and HB 2651. These measures would require the counties to allow wireless providers and communications services providers to install wireless broadband facilities on county-owned utility poles, structures, and light standards.

The bills do not implement any safety standards currently used in the telecommunications industry to determine whether the installation of a facility is appropriate and safe. Furthermore, the counties can only deny the installation of such facilities if the installation violates the Building Code, preventing the counties from ensuring installed facilities are safe.

May I request you opine on the following:

1. If the bills are enacted as proposed, is there a way either administratively or by county ordinance that the county could

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ensure that telecommunications safety standards are in place and the public is protected?

2. If the County cannot administratively or by County ordinance implement safety standards if these measures become law, what legal recourse does the County have to challenge this law?

I would appreciate receiving a response by **Friday, April 13, 2018**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Michele Yoshimura at ext. 7663, James Krueger at ext. 7761, or Yvette Bouthillier at ext. 7758).

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