STAND. COM. REP. NO. **835** -12

Honolulu, Hawaii

March 2, 2012

RE: H.B. No. 2325

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2325, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BROADBAND,"

begs leave to report as follows:

The purpose of this measure is to establish a 45-day time period in which the State or counties must approve, approve with modification, or disapprove applications for broadband-related permits, or else the broadband-related permit shall be deemed approved on the 46th day.

The Department of Transportation testified in support of this measure. Life of the Land, Sierra Club of Hawaii, and many individuals testified in opposition to this measure. The Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; Office of Planning; Hawaiian Electric Company; Hawaii Electric Light Company; Maui Electric Company; and Hawaiian Telcom commented on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the term "days" means business days;
- (2) Specifying that the definition of "broadband-related permits" also includes the landing of an undersea cable in relation to the installation, improvement,

construction, or development of infrastructure relating to broadband service or broadband technology;

- (3) Providing that the upgrading and replacement of, and access to, any utility pole in relation to a broadband-related permit application subject to this measure shall be in conformance with section 3 of Act 151, Session Laws of Hawaii 2011; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2325, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2325, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Finance,

MARCUS R. OSHIRO, Chair

## State of Hawaii House of Representatives The Twenty-sixth Legislature

HSCR 835-12

## **Record of Votes of the Committee on Finance**

Bill/Resolution No.:  HB 2325 HD1 ERE	ttee Referral: 3, FIN	Date:	2/28	/12
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)				
2. LEE, Marilyn B. (VC)	1		·	
3. CHOY, Isaac W.				
4. CULLEN, Ty			<u>.</u>	
5. GIUGNI, Heather				
6. HAR, Sharon E.				
7. HASHEM, Mark J.				
8. ICHIYAMA, Linda			=nim.	
9. JORDAN, Jo	<u> </u>		7.0	
10. KAWAKAMI, Derek S.K.				
11. LEE, Chris	<del></del>			
12. MORIKAWA, Dee  13. TOKIOKA, James Kunane	- V		· farme	
14. YAMASHITA, Kyle T.	+			<u> </u>
15. MARUMOTO, Barbara C.			******	
16. RIVIERE, Gil			-,	<u> </u>
17. WARD, Gene				,
			470.00	
1		+		
		-	<u>-</u>	
	-		<u> </u>	
				-
TOTAL (17)	14	2	0	/
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature: Mauly 3. Jel				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				