

Honolulu, Hawaii

Feb 10, 2012

RE: H.B. No. 2653

H.D. 1

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

Sir:

Your Committee on Economic Revitalization & Business, to which was referred H.B. No. 2653 entitled:

"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Exempt the upgrading of existing wireless broadband facilities from state and county permitting processes; and
- (2) Require the State and counties to give under certain circumstances the final approval for new wireless infrastructure within 120 days for high-speed broadband siting and 45 days for new tower or antenna support structure permits.

The Department of Commerce and Consumer Affairs, AT&T, Verizon Wireless, and Sandwich Isles Communications, Incorporated testified in support of this measure. The Department of Transportation, Department of Business, Economic Development and Tourism, and Office of Planning testified in support of the intent of this measure. The Office of Environmental Quality Control and Department of Information Technology of the City and County of Honolulu testified in opposition to this measure. The Department of Land and Natural Resources and Hawaiian Electric Company,



Hawaiian Electric Light Company, and Maui Electric Company provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the language that specifies high-speed wireless broadband and replacing it with wireless telecommunications;
- (2) Identifying certain components of wireless telecommunications facilities that would be included in the exemption from county permitting requirements and state permitting and approval requirements;
- (3) Including language that requires the State or county agency to notify an applicant of an incomplete application;
- (4) Changing the effective date to July 1, 2112, and providing a sunset date of June 30, 2017, for the purposes of facilitating further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2653, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2653, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Revitalization & Business,



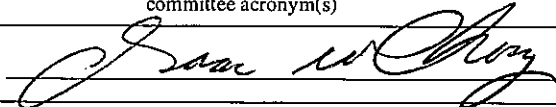
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ANGUS L.K. MCKELVEY, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Economic Revitalization & Business

Bill/Resolution No.: <b>HB 2653</b>	Committee Referral: <b>ERB, CPC, FIN</b>	Date: <b>2/9/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	X			
2. CHOY, Isaac W. (VC)	X			
3. AWANA, Karen L.	X			
4. BROWER, Tom	X			
5. EVANS, Cindy	X			
6. HASHEM, Mark J.	X			
7. NISHIMOTO, Scott Y.				X
8. TOKIOKA, James Kunane				X
9. TSUJI, Clift	X			
10. MARUMOTO, Barbara C.	X			
11. PINE, Kymberly Marcos	X			
TOTAL (11)	9	—	—	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				