

Honolulu, Hawaii

April 25, 2013

RE: H.B. No. 635  
H.D. 2  
S.D. 1  
C.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 635, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BROADBAND,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to expedite the approval process for broadband-related permits while maintaining utility pole public safety standards by:

- (1) Requiring the State and the counties to approve, approve with modification, or disapprove all broadband-related permits within specified timeframes to avoid automatic approval of broadband permit applications;
- (2) Specifying that applicants shall comply with all applicable safety and engineering requirements relating to broadband-related infrastructure; and



- (3) Ensuring that the Federal Communications Commission and the Public Utilities Commission have authority over utility pole weight capacity limits.

Your Committee on Conference has amended this measure by:

- (1) Adding a State automatic approval provision for applications for broadband facilities within the conservation district if not approved, approved with modification, or disapproved within one hundred forty-five days;
- (2) Removing specific State and county automatic approval provisions for applications for broadband facilities for the protective subzones of the conservation district if not approved, approved with modification, or disapproved within ninety days;
- (3) Removing specific State and county automatic approval provisions for conservation district use applications for broadband facilities, and related provisions, if not approved, approved with modification, or disapproved within one hundred twenty days;
- (4) Changing its effective date to January 1, 2014; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 635, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 635, H.D. 2, S.D. 1, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

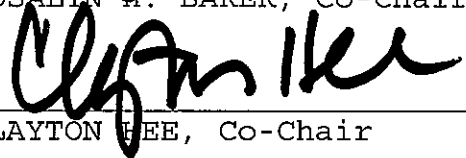
ON THE PART OF THE HOUSE

  
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GLENN WAKAI, Chair

  
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CLIFT TSUJI, Co-Chair

  
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ROSALYN H. BAKER, Co-Chair

  
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ANGUS L.K. MCKELVEY, Co-Chair

  
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CLAYTON LEE, Co-Chair



