

STAND. COM. REP. NO.

83

Honolulu, Hawaii

FEB 06 2013

RE: S.B. No. 1213
S.D. 1

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

Madam:

Your Committee on Transportation and International Affairs,
to which was referred S.B. No. 1213 entitled:

"A BILL FOR AN ACT RELATING TO UTILITY FRANCHISES,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the State Department of Transportation Highways Division to collect an equitable compensation from franchise utility companies for the use of the state right of way.

Your Committee received testimony in support of this measure from the Department of Transportation. Testimony in opposition to this measure was received from the Office of the Mayor of the City and County of Honolulu, Department of Budget and Fiscal Services of the City and County of Honolulu, and County of Hawaii Finance Department.

Your Committee finds that franchise utility companies currently pay less than two and one-half percent of their gross receipts to the counties for their use and occupancy of the county road systems. However, the Department of Transportation is responsible for the removal, relocation, replacement, or reconstruction of the franchise utility companies' systems that impact a highway project.

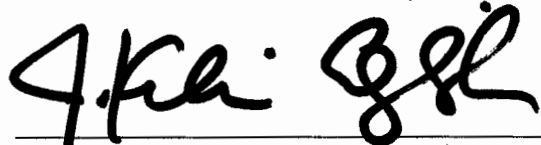
Your Committee has amended this measure by:



- (1) Dividing the public utility franchise tax collected equally between the county and the Department of Transportation Highways Division; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1213, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1213, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,

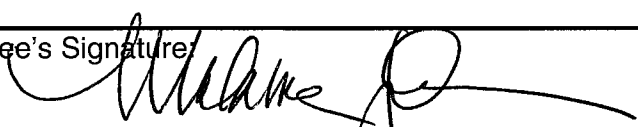


J. KALANI ENGLISH, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and International Affairs
TIA

| | | | | |
|--|--|--------------------------|-----|----------|
| Bill / Resolution No.:* SB 1213 | Committee Referral: TIA, WAM | Date: 02-04-13 | | |
| <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 |
| ENGLISH, J. Kalani (C) | ✓ | | | |
| DELA CRUZ, Donovan M. (VC) | | | | ✓ |
| ESPERO, Will | ✓ | | | |
| GABBARD, Mike | | | | ✓ |
| KAHELE, Gilbert | ✓ | | | |
| KEITH-AGARAN, Gilbert S.C. | ✓ | | | |
| KOUCHI, Ronald D. | | | | ✓ |
| SOLOMON, Malama | ✓ | | | |
| SLOM, Sam | | | | ✓ |
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| TOTAL | 5 | | | 4 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes