STAND. COM. REP. NO. 284 -12

Honolulu, Hawaii

Feb 10, 2012

RE: H.B. No. 2325 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. 2325 entitled:

"A BILL FOR AN ACT RELATING TO BROADBAND,"

begs leave to report as follows:

The purpose of this measure is to require the State and counties to approve, approve with modification, or disapprove all broadband-related permit applications within forty-five days.

The Department of Transportation, the Department of Commerce and Consumer Affairs, and Sandwich Isles Communications, Inc. testified in support of this measure. The Department of Business, Economic Development, and Tourism and the Office of Planning of the Department of Business, Economic Development, and Tourism testified in support of the intent of this measure. The Department of Information Technology of the City and County of Honolulu and Hawaiian Electric Co. and its subsidiaries, Hawaii Electric Light Co. and Maui Electric Co., testified in opposition to this measure. The Department of Land and Natural Resources submitted comments on this measure.

Your Committee has amended this measure by:

(1) Requiring state and county agencies to notify applicants in writing within ten days of submission of an application if the application is incomplete;

- (2) Requiring the notice of incomplete application to set forth the specific requirements necessary to complete the application;
- (3) Requiring the submittal of a complete application within five days of receiving a notice of incomplete application in order for forty-five-day automatic approval provisions to continue to apply;
 - (4) Inserting a repeal date of June 30, 2017; and
 - (5) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, 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. 2325, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2325, 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,

THE PROPERTY OF

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.: Committee HB 2325 ERB	e Referral:	Date:	2/9/1	>
☐ 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)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	X			_
	Υ			
2. CHOY, Isaac W. (VC)				
3. AWANA, Karen L.	X			
4. BROWER, Tom	X			
5 EVANC Chale				
5. EVANS, Cindy	, κ			
6. HASHEM, Mark J.	×			-
7. NISHIMOTO, Scott Y.				X
8. TOKIOKA, James Kunane				X
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9. TSUJI, Clift	X			.
		:	1	
10. MARUMOTO, Barbara C.	κ			
11. PINE, Kymberly Marcos	K			
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				1
				
TOTAL (11)	9			2
The recommendation is: Adopted If joint referral, did not support recommendation. Committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				