
A BILL FOR AN ACT

RELATING TO BROADBAND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 HAWAII BROADBAND OFFICE

6 § -1 Definitions. As used in this chapter:

7 "Broadband" means high-speed internet access that is always
8 on, including mobile and fixed technologies.

9 "Corporation" means the Hawaii technology development
10 corporation.

11 "Office" means the Hawaii broadband office.

12 § -2 Hawaii broadband office; establishment; state
13 broadband strategy officer; staff. (a) There is established
14 the Hawaii broadband office within the Hawaii technology
15 development corporation.

16 (b) The chief executive officer of the Hawaii technology
17 development corporation shall appoint, exempt from chapter 76, a



1 state broadband strategy officer to head the office. The
2 corporation shall employ any staff as may be necessary for the
3 purposes of this chapter; provided that any staff employed
4 pursuant to this section shall be exempt from chapter 76.

5 § -3 Hawaii broadband office; duties. In furtherance of
6 the State's objectives and policies for the economy pursuant to
7 section 226-10.5, the office shall:

8 (1) Develop and implement specific strategies and plans to
9 aggressively increase broadband affordability,
10 penetration, and competitive availability in the
11 State;

12 (2) Support the efforts of both public and private
13 entities in Hawaii to enhance or facilitate the
14 deployment of and access to competitively priced,
15 advanced electronic communications services, including
16 broadband and its products and services and internet
17 access services of general application throughout
18 Hawaii;

19 (3) Promote the landing of trans-Pacific submarine cable,
20 including the development of a shared access cable



1 station and associated terrestrial connectivity to
2 reduce barriers to fiber landing in Hawaii;

3 (4) Promote, advocate, and facilitate the implementation
4 of the findings and recommendations of the Hawaii
5 broadband task force established by Act 2, First
6 Special Session Laws of Hawaii 2007; and

7 (5) Actively seek out funding from private and public
8 sources in furtherance of the office's duties pursuant
9 to this chapter.

10 **§ -4 Broadband planning and coordination; cooperation.**

11 (a) The office shall:

12 (1) Seek input and the widest possible cooperation from
13 public and private agencies and individuals to achieve
14 the purposes of this chapter;

15 (2) Promote coordinated broadband planning; and

16 (3) To the extent feasible, incorporate the ideas and
17 suggestions of broadband stakeholders in the office's
18 planning directives.

19 (b) Nothing in this chapter shall be construed to delegate
20 or detract in any way from the functions, powers, and duties



1 conferred by law or rule on any department or agency of the
2 State or county."

3 SECTION 2. Act 199, Session Laws of Hawaii 2010, as
4 amended by section 5, Act 151, Session Laws of Hawaii 2011, as
5 amended by section 2, Act 23, Session Laws of Hawaii 2016, is
6 amended by amending section 3 to read as follows:

7 "SECTION 3. ~~[Telework promotion; broadband assistance]~~
8 **Broadband advisory council; establishment; purpose.** (a) The
9 ~~[director of commerce and consumer affairs]~~ chief executive
10 officer of the Hawaii technology development corporation, or the
11 officer's designee, shall convene and chair the broadband
12 ~~[assistance]~~ advisory council to advise the ~~[director of~~
13 ~~commerce and consumer affairs]~~ chief executive officer of the
14 Hawaii technology development corporation on policy [and funding
15 priorities] to promote ~~[and encourage use of telework~~
16 ~~alternatives for public and private employees,]~~ and expedite
17 deployment of affordable and accessible broadband services in
18 Hawaii.

19 (b) The council shall be composed of ~~[the director of~~
20 ~~commerce and consumer affairs, or the director's designee, the~~
21 ~~director of business, economic development, and tourism, or the~~



1 ~~director's designee;~~ the chief executive officer of the Hawaii
2 technology development corporation, or the chief executive
3 officer's designee, and the following [~~twelve~~] ten members who
4 shall be equally appointed by the president of the senate and by
5 the speaker of the house of representatives as follows:

6 (1) Two members of the senate, appointed by the president
7 of the senate;

8 (2) Two members of the house of representatives, appointed
9 by the speaker of the house of representatives;

10 (3) [~~Four~~] Two representatives of federal, state, and
11 county government entities having a role in
12 infrastructure deployment [~~;~~ ~~management of public~~
13 ~~rights of way, regulation, and franchising,~~],
14 information technology [~~;~~], and economic development;
15 and

16 (4) Four representatives of Hawaii's private sector
17 technology, telecommunications, and investment
18 industries.

19 In making appointments pursuant to subsection (b)(1) through
20 (b)(3), the president of the senate and the speaker of the house
21 of representatives shall ensure representation of each of the



1 counties of Hawaii, Maui, and Kauai, and the city and county of
2 Honolulu by one or more appointed members. Except for the
3 ~~[director of commerce and consumer affairs and the director of~~
4 ~~business, economic development, and tourism,]~~ chief executive
5 officer of the Hawaii technology development corporation, all
6 members shall serve for a term of four years. Notwithstanding
7 any law to the contrary, the terms of all members as of July 1,
8 2016, shall expire on June 30, 2019; and, each subsequent four-
9 year term shall commence on July 1, and expire on June 30 every
10 four years thereafter. Any member of the council whose term has
11 expired may continue to serve as a holdover member until
12 reappointment or until a successor is appointed. Any vacancies
13 occurring in the membership of the advisory council shall be
14 filled for the remainder of the unexpired term in the same
15 manner as the original appointments.

16 (c) The ~~[director of commerce and consumer affairs]~~ chief
17 executive officer of the Hawaii technology development
18 corporation, or the chief executive officer's designee, shall
19 serve as chairperson of the council. The chairperson may
20 designate representatives of other interested public or private
21 sector organizations to serve as members of the council, or as



1 members of the work groups of the council to address specified
2 issues on an ad hoc basis, as the chairperson deems necessary.
3 The council shall meet at times as may be called by the
4 chairperson. Members and ad hoc members shall be reimbursed for
5 reasonable expenses, including travel expenses, necessary for
6 the performance of their duties. Administrative support to the
7 council shall be provided by the [~~department of commerce and~~
8 ~~consumer affairs.~~] Hawaii technology development corporation.

9 (d) The council shall:

- 10 (1) Monitor the broadband-based development efforts of
11 other states and nations in areas such as business [~~7~~
12 ~~education, and health;~~] and economic development;
- 13 (2) Advise the [~~department~~] Hawaii technology development
14 corporation on other states' best practices [~~involving~~
15 ~~telework promotion and policies~~] and strategies
16 related to making affordable broadband services
17 available to every Hawaii [~~home and~~] business;
- 18 (3) Monitor broadband-related activities at the federal
19 level;



- 1 (4) Monitor [~~regulatory and~~] policy changes for potential
2 impact on broadband deployment and sustainability in
3 Hawaii; [~~and~~]
- 4 (5) Encourage public-private partnerships and
5 collaborations to increase the deployment and adoption
6 of broadband services and applications[~~-~~]; and
- 7 (6) Advise the chief executive officer of the Hawaii
8 technology development corporation on broadband
9 deployment."

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$ or so
12 much thereof as may be necessary for fiscal year 2019-2020 and
13 the same sum or so much thereof as may be necessary for fiscal
14 year 2020-2021 for the creation and staffing of the Hawaii
15 broadband office, including the establishment of two full-time
16 equivalent (2.00 FTE) positions that are exempt from chapter 76,
17 Hawaii Revised Statutes.

18 The sums appropriated shall be expended by the department
19 of business, economic development, and tourism for the purposes
20 of this Act.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Hawaii Technology Development Corporation; Hawaii Broadband Office; Broadband Advisory Council; Appropriation

Description:

Establishes the Hawaii Broadband Office within HTDC.
Establishes the position of State Broadband Strategy Officer.
Renames the Broadband Assistance Advisory Council as the Broadband Advisory Council and amends its purpose and membership. Requires the CEO of HTDC to convene and chair the Broadband Advisory Council. Appropriates funds. Takes effect 7/1/3000. (SD1)

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