
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 "Office" means the Hawaii broadband office.

10 § -2 Hawaii broadband office; establishment; state

11 broadband strategy officer; staff. (a) There is established
12 the Hawaii broadband office within the department of business,
13 economic development, and tourism.

14 (b) The director of business, economic development, and
15 tourism shall appoint, exempt from chapter 76, a state broadband
16 strategy officer to head the office. The department shall
17 employ any staff as may be necessary for the purposes of this



1 chapter; provided that any staff employed pursuant to this
2 section shall be exempt from chapter 76.

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

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

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

17 (3) Promote the landing of trans-Pacific submarine cable,
18 including the development of a shared access cable
19 station and associated terrestrial connectivity to
20 reduce barriers to fiber landing in Hawaii;



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

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

8 § -4 Broadband planning and coordination; cooperation.

9 (a) The office shall:

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

13 (2) Work closely with and assist the counties in the
 14 promotion of coordinated state and county broadband
 15 planning; and

16 (3) Encourage every state department, county agency, and
 17 other public or private agencies and individuals
 18 involved in broadband programs to participate in the
 19 activities of the office and incorporate, to the
 20 extent feasible, the ideas and suggestions of the



1 participants in the office's comprehensive planning
2 goals.

3 (b) The executive heads of all state departments and
4 agencies shall cooperate with the office by providing any
5 information deemed necessary by the governor and the director of
6 business, economic development, and tourism for the effective
7 discharge of the office's duties.

8 (c) Nothing in this chapter shall be construed to delegate
9 or detract in any way from the functions, powers, and duties
10 conferred by law or rule on any department or agency of the
11 State or county."

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

16 "SECTION 3. **Telework promotion; broadband assistance**
17 **advisory council; establishment; purpose.** (a) The director of
18 [~~commerce and consumer affairs~~] business, economic development,
19 and tourism, or the director's designee, shall convene and chair
20 the broadband assistance advisory council to advise the director
21 of [~~commerce and consumer affairs~~] business, economic



1 development, and tourism on policy and funding priorities to
2 promote and encourage use of telework alternatives for public
3 and private employees, and expedite deployment of affordable and
4 accessible broadband services in Hawaii.

5 (b) The council shall be composed of the director of
6 commerce and consumer affairs, or the director's designee; the
7 director of business, economic development, and tourism, or the
8 director's designee; and the following twelve members who shall
9 be equally appointed by the president of the senate and by the
10 speaker of the house of representatives as follows:

11 (1) Two members of the senate, appointed by the president
12 of the senate;

13 (2) Two members of the house of representatives, appointed
14 by the speaker of the house of representatives;

15 (3) Four representatives of federal, state, and county
16 government entities having a role in infrastructure
17 deployment; management of public rights-of-way,
18 regulation, and franchising; information technology;
19 and economic development; and



1 (4) Four representatives of Hawaii's private sector
2 technology, telecommunications, and investment
3 industries.

4 In making appointments pursuant to subsection (b)(1) through
5 (b)(3), the president of the senate and the speaker of the house
6 of representatives shall ensure representation of each of the
7 counties of Hawaii, Maui, and Kauai, and the city and county of
8 Honolulu by one or more appointed members. Except for the
9 director of commerce and consumer affairs and the director of
10 business, economic development, and tourism, all members shall
11 serve for a term of four years. Notwithstanding any law to the
12 contrary, the terms of all members as of July 1, 2016, shall
13 expire on June 30, 2019; and, each subsequent four-year term
14 shall commence on July 1, and expire on June 30 every four years
15 thereafter. Any member of the council whose term has expired
16 may continue to serve as a holdover member until reappointment
17 or until a successor is appointed. Any vacancies occurring in
18 the membership of the advisory council shall be filled for the
19 remainder of the unexpired term in the same manner as the
20 original appointments.



1 (c) The director of [~~commerce and consumer affairs~~]
2 business, economic development, and tourism, or the director's
3 designee, shall serve as chairperson of the council. The
4 chairperson may designate representatives of other interested
5 public or private sector organizations to serve as members of
6 the council, or as members of the work groups of the council to
7 address specified issues on an ad hoc basis, as the chairperson
8 deems necessary. The council shall meet at times as may be
9 called by the chairperson. Members and ad hoc members shall be
10 reimbursed for reasonable expenses, including travel expenses,
11 necessary for the performance of their duties. Administrative
12 support to the council shall be provided by the department of
13 [~~commerce and consumer affairs.~~] business, economic development,
14 and tourism.

15 (d) The council shall:

- 16 (1) Monitor the broadband-based development efforts of
17 other states and nations in areas such as business,
18 education, and health;
- 19 (2) Advise the department on other states' best practices
20 involving telework promotion and policies and



- 1 strategies related to making affordable broadband
- 2 services available to every Hawaii home and business;
- 3 (3) Monitor broadband-related activities at the federal
- 4 level;
- 5 (4) Monitor regulatory and policy changes for potential
- 6 impact on broadband deployment and sustainability in
- 7 Hawaii; ~~and~~
- 8 (5) Encourage public-private partnerships to increase the
- 9 deployment and adoption of broadband services and
- 10 applications [-]; and
- 11 (6) Advise the director of business, economic development,
- 12 and tourism on broadband deployment."

13 SECTION 3. There is appropriated out of the general
 14 revenues of the State of Hawaii the sum of \$200,000 or so much
 15 thereof as may be necessary for fiscal year 2019-2020 and the
 16 same sum or so much thereof as may be necessary for fiscal year
 17 2020-2021 for the creation and staffing of the Hawaii broadband
 18 office, including the establishment of two full-time equivalent
 19 (2.00 FTE) positions that are exempt from chapter 76, Hawaii
 20 Revised Statutes.



1 The sums appropriated shall be expended by the department
2 of business, economic development, and tourism for the purposes
3 of this Act.

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

6 SECTION 5. This Act shall take effect on July 1, 2112.



Report Title:

DBEDT; Hawaii Broadband Office; Broadband Assistance Advisory Council; Appropriation

Description:

Establishes the Hawaii Broadband Office within DBEDT.
Establishes the position of State Broadband Strategy Officer.
Requires the Director of DBEDT to convene and chair the
Broadband Assistance Advisory Council. Appropriates funds.
(HB533 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

