

JAN 18 2019

A BILL FOR AN ACT

RELATING TO BROADBAND.

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

1 SECTION 1. The legislature finds that Hawaii needs to
2 better address critical broadband infrastructure in the State by
3 establishing an open access, carrier neutral cable landing
4 station to attract transpacific fiber optic cables and expand
5 Hawaii's connectivity around the world, which will establish
6 Hawaii as a key player in the global broadband market and
7 address the need for better broadband connection. Attracting
8 partners with the necessary technical expertise and resources
9 has the potential to develop Hawaii into a strategic
10 communications and knowledge hub in the Pacific. This hub would
11 integrate a robust global communications network and edge
12 computing for the development of next generation applications,
13 such as artificial intelligence and smart communities.

14 In 2008, the Hawaii broadband task force submitted a final
15 report to the legislature that made several key recommendations.
16 The task force recommended, among other things, that Hawaii
17 should "aggressively promote the landing of new trans-Pacific



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1 submarine fiber in Hawaii, including a shared access cable
2 station that reduces barriers to fiber landing in Hawaii" to
3 maximize Hawaii's connectivity to the world. In 2018,
4 TeleGeography, a telecommunications market research and
5 consulting firm, released an update on the status of six new
6 transpacific fiber optic projects linking Asia and North
7 America. However, none of these six will land in Hawaii.

8 The legislature further finds that the timing for an open
9 access, carrier neutral cable landing is critical due to various
10 federal and private contracts that are available to Hawaii, such
11 as the South American Pacific Link, which would connect Hawaii
12 to South America, Central America, and the East coast of the
13 United States continent. An open access, carrier neutral cable
14 landing would also benefit the State by creating a level playing
15 field for telecommunications carriers, improving access to
16 broadband, and creating new means of economic development in the
17 State.

18 Accordingly, the purpose of this Act is to:

- 19 (1) Establish a public-private partnership with the Hawaii
20 technology development corporation to build and manage



1 key strategic broadband infrastructure and attract
2 cloud based companies to Hawaii; and
3 (2) Appropriate funds to the Hawaii technology development
4 corporation to establish an open access, carrier
5 neutral cable landing station to support the Hawaii
6 broadband initiative.

7 SECTION 2. (a) The Hawaii technology development
8 corporation shall seek to establish a public-private partnership
9 with a private organization to plan, build, and manage key
10 strategic broadband infrastructure that benefits the State and
11 attract cloud based companies to utilize this key strategic
12 broadband infrastructure.

13 (b) The public-private partnership shall be exempt from
14 chapter 103D, Hawaii Revised Statutes, and shall develop
15 internal policies and procedures for the procurement of goods,
16 services, and construction that are consistent with the goals of
17 public accountability and public procurement.

18 (c) Pursuant to Act 193, Session Laws of Hawaii 2016,
19 actions taken by the public-private partnership shall be exempt
20 from certain state and county requirements, except to the extent
21 that such requirements are mandated by federal law or is



1 necessary to protect eligibility for federal funding, services,
2 or other assistance.

3 The public-private partnership shall comply with all
4 applicable safety and engineering requirements relating to the
5 installation, improvement, construction, or development of
6 infrastructure relating to broadband service.

7 A person or entity of the public-private partnership taking
8 any action under this subsection shall, at least thirty calendar
9 days before the action is taken, provide notice to the director
10 of commerce and consumer affairs by electronic posting in the
11 form and on the site designated by the director of such posting
12 on the designated central State utility or government entity for
13 an action relating to the installation, improvement,
14 construction, or development of infrastructure relating to
15 broadband service or broadband technology where the action taken
16 is to provide access as the owner of the exiting rights-of-ways,
17 utility easements, or telecommunications infrastructure.

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$10,000,000 or so
20 much thereof as may be necessary for fiscal year 2019-2020 and
21 the same sum or so much thereof as may be necessary for fiscal



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1 year 2020-2021 for the Hawaii broadband initiative and the
2 establishment of an open access, carrier neutral cable landing
3 station.

4 The sums appropriated shall be expended by the Hawaii
5 technology development corporation for the purposes of this Act.

6 SECTION 4. This Act shall take effect on July 1, 2019.

7

INTRODUCED BY:

The block contains three handwritten signatures. The first is a stylized signature above a horizontal line. The second is 'J. Gen. Esch' written in cursive. The third is 'Kurt Ferrell' written in cursive below the second signature.



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Report Title:

Hawaii Technology Development Corporation; Public-Private Partnership; Open Access; Carrier Neutral Cable Landing Station; Appropriation

Description:

Requires the Hawaii technology development corporation to seek to establish a public-private partnership to plan, build, and manage key strategic broadband infrastructure and attract cloud based companies to Hawaii. Makes an appropriation to establish an open access, carrier neutral cable landing station.

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

