



DAVID Y. IGE  
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**STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

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**Testimony of the Department of Commerce and Consumer Affairs**

**Before the  
House Committee on Interstate Commerce  
Tuesday, February 12, 2019  
9:15 a.m.  
State Capitol, Conference Room 430**

**On the following measure:  
H.B. 533, H.D. 1, RELATING TO BROADBAND**

Chair Ohno and Members of the Committee:

My name is Ji Sook “Lisa” Kim, and I am the Cable Administrator of the Department of Commerce and Consumer Affairs’ (Department) Cable Television Division. The Department supports this bill.

The purposes of this bill are to: (1) establish the Hawaii Broadband Office within the Department of Business, Economic Development, and Tourism (DBEDT), including the creation of a state broadband strategy officer position to head the office; and (2) transfer certain duties relating to the Broadband Assistance Advisory Council to DBEDT.

The Department recognizes the strong relationship between broadband access and economic development, as well as broadband’s importance in fostering education, health, community building, and civic engagement throughout the State. Accordingly, the Department supports the approach taken by this measure to create a central office solely focused on facilitating the availability of affordable broadband access services

through the development of the State strategy and policies, coordination of efforts among public and private broadband stakeholders, and the securing of funding and investment for broadband infrastructure, services, and programs. The Department defers further comment to DBEDT with respect to the overall program scope of the proposed broadband office and its required funding.

Thank you for the opportunity to testify on this bill.



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**LATE**

**Date:** 02/12/2019  
**Time:** 09:15 AM  
**Location:** 430  
**Committee:** House Intrastate Commerce

**Department:** Education

**Person Testifying:** Dr. Christina M. Kishimoto, Superintendent of Education

**Title of Bill:** HB 0533, HD1 RELATING TO BROADBAND.

**Purpose of Bill:** 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)

**Department's Position:**

The Department of Education (Department) supports HB533 HD1.

A strategic focus on improving broadband in the state is vital in today's society which leverages and consumes broadband services in greater numbers. This is especially the case in the educational setting, where curriculum, assessment, and learning tools continue to move towards online and digital delivery. Hawaii's schools and students leverage broadband on a daily basis and use continues to grow annually, especially with the Department's strategic focus on modernization and school design.

Thank you for the opportunity to testify on this measure.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at [www.hawaiipublicschools.org](http://www.hawaiipublicschools.org).



DAVID Y. IGE  
GOVERNOR

MIKE MCCARTNEY  
DIRECTOR

## DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

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**LATE**

Statement of  
**MIKE MCCARTNEY**  
Director

Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEE ON INTRASTATE COMMERCE**

Tuesday, February 12, 2019  
9:15a.m.  
State Capitol, Conference Room 430

In consideration of  
**HB 533, HD1**  
**RELATING TO BROADBAND**

Chair Ohno, Vice Chair Kobayashi and members of the Committee. The Department of Business, Economic Development and Tourism (DBEDT) **Supports the intent** of HB533 HD1 which establishes the Hawaii Broadband Office within the Department of Business, Economic Development, and Tourism and establishes the position of State Broadband Strategy Officer and provides these comments:

1. As the goals and objectives for the broadband office are broad, DBEDT proposes revisions to HB533 HD1 that change the office's roles and responsibilities to focus on economic development and business.
2. Also, in the proposed HD2 are changes to the broadband assistance advisory council, that DBEDT and the Department of Commerce and Consumer Affairs are in agreement.
3. DBEDT has attached a proposed HB 533 HD2 for your Committee's consideration.

Thank you for the opportunity to testify and offer these comments.

# H.B. NO. 533

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## A BILL FOR AN ACT

RELATING TO BROADBAND.

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

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

**"CHAPTER**

**HAWAII BROADBAND OFFICE**

§ -1 **Definitions.** For the purposes of this chapter:

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

"Office" means the Hawaii broadband office.

§ -2 **Hawaii broadband office; establishment; state broadband strategy officer; staff.** (a) There is established the Hawaii broadband office within the department of business, economic development, and tourism.

(b) The director of business, economic development, and tourism shall appoint, exempt from chapter 76, a state broadband strategy officer to head the office. The department shall employ any staff as may be necessary for the purposes of this chapter; provided that any staff employed pursuant to this section shall be exempt from chapter 76.

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

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

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

(3) Promote the landing of trans-Pacific submarine fiber, including the development of a carrier neutral, open access cable station and associated terrestrial connectivity to reduce barriers to fiber landing in Hawaii;

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

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

§ -4 **Broadband planning.** (a) The office shall:

(1) Seek input from public and private agencies and individuals to achieve the purposes of this chapter;

(2) Promote coordinated broadband planning; and

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

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

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

"SECTION 3. ~~Telework promotion and Broadband advisory council; establishment; purpose.~~ (a) The director of [commerce

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~~and consumer affairs]~~ business, economic development, and tourism, or the director's designee, shall convene and chair the broadband ~~assistance~~ advisory council to advise the director of ~~[commerce and consumer affairs]~~ business, economic development, and tourism on policy and ~~funding priorities~~ to promote and ~~encourage the use of telework alternatives for public and private employees,~~ and expedite deployment of affordable and accessible broadband services in Hawaii.

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

- (1) Two members of the senate, appointed by the president of the senate;
- (2) Two members of the house of representatives, appointed by the speaker of the house of representatives;
- (3) Two ~~Four~~ representatives of federal, state, and county government entities having a role in infrastructure deployment, ~~management of rights-of-way, regulation, and franchising,~~ information technology and economic development; and
- (4) Four representatives of Hawaii's private sector technology, telecommunications, and investment industries.

In making appointments pursuant to subsection (b) (1) through (b) (3), the president of the senate and the speaker of the house of representatives shall ensure representation of each of the counties of Hawaii, Maui, and Kauai, and the city and county of Honolulu by one or more appointed members. Except for the ~~director of commerce and consumer affairs and director of~~

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business, economic development, and tourism, all members shall serve for a term of four years. Notwithstanding any law to the contrary, the terms of all members as of July 1, 2016, shall expire on June 30, 2019; and, each subsequent four-year term shall commence on July 1, and expire on June 30 every four years thereafter. Any member of the council whose term has expired may continue to serve as a holdover member until reappointment or until a successor is appointed. Any vacancies occurring in the membership of the advisory council shall be filled for the remainder of the unexpired term in the same manner as the original appointments.

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



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(d) The council shall:

(1) Monitor the broadband-based development efforts of other states and nations in areas such as business, ~~education~~, and ~~health~~ economic development.

(2) Advise the department on other states' best practices ~~involving telework promotion and policies~~ and strategies related to making affordable broadband services available to every Hawaii business;

(3) Monitor broadband-related grant opportunities at the federal level;

(4) Monitor ~~regulatory and~~ policy changes for potential impact on broadband deployment and sustainability in Hawaii; ~~[and]~~

(5) Encourage public-private partnerships and collaborations to increase the deployment and adoption of broadband services and applications[-]; and

(6) Advise the director of business, economic development, and tourism on broadband deployment."

(7) ~~Be exempt from Chapter 92.~~

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$~~200,000~~ or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for the creation and staffing of the Hawaii broadband office, including the establishment of two full-time equivalent (2 FTE) positions that are exempt from chapter 76, Hawaii Revised Statutes.

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

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

SECTION 5. This Act shall take effect on ~~July 1, 2019.~~

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SECTION 1. Click here and insert text of bill

INTRODUCED BY: \_\_\_\_\_

\_\_\_\_.B. NO.\_\_\_\_

1

BY REQUEST

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**Report Title:**

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**Description:**

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

**LATE**

**HB-533-HD-1**

Submitted on: 2/11/2019 9:14:26 AM

Testimony for IAC on 2/12/2019 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments: