

# VETO

H.B. NO. 310  
H.D. 2  
S.D. 2  
C.D. 2

## A BILL FOR AN ACT

**VETO OVERRIDE**

ACT No. 2

Approved: [Signature]

Dated: July 10, 2007

RELATING TO TECHNOLOGY.

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

1 SECTION 1. Technology is the key to success in today's  
2 economy. The legislature finds that removing barriers against  
3 broadband deployment by using a technology-neutral approach will  
4 encourage lower prices for broadband services and create more  
5 consumer choices. In addition, deploying broadband networks and  
6 advanced communication services throughout Hawaii are essential  
7 for the State to keep pace with global changes in economic  
8 diversification, energy and environmental technology,  
9 healthcare, public safety, and education.

10 The legislature further finds that Hawaii's enterprises do  
11 not have access to the types of low-cost, high-capacity digital  
12 transport services which are increasingly available in  
13 communities concerned about advanced affordable services. As a  
14 result, state action is needed to support investment in,  
15 stimulate the adoption of, and remove potential barriers to the  
16 development and availability of world-class and universally  
17 accessible broadband networks in Hawaii.



1 Offering affordable Internet access services statewide is  
2 an essential element of a long-term strategy to invest in the  
3 State's workers, residents, and most importantly, the future of  
4 Hawaii's children.

5 The purpose of this Act is to establish a Hawaii broadband  
6 task force to:

- 7 (1) Remove barriers to broadband access, including gaining  
8 wider access to public rights-of-way;
- 9 (2) Identify opportunities for increased broadband  
10 deployment and adoption, including very high speed  
11 broadband services; and
- 12 (3) Enable the creation and deployment of new advanced  
13 communication technologies in Hawaii.

14 SECTION 2. (a) There is established the Hawaii broadband  
15 task force. The task force shall be comprised of the following:

- 16 (1) Three members of the senate, appointed by the  
17 president of the senate;
- 18 (2) Three members of the house of representatives,  
19 appointed by the speaker of the house of  
20 representatives;
- 21 (3) Four representatives of federal, state, and county  
22 government entities having a role in infrastructure



1 deployment; management of public rights-of-way,  
2 regulation, and franchising; information technology;  
3 and economic development; and

4 (4) Five representatives of Hawaii's private sector  
5 technology, telecommunications, and investment  
6 industries, including the incumbent local exchange  
7 carrier;

8 provided that the members in paragraphs (3) and (4) shall be  
9 appointed jointly by the president of the senate and the speaker  
10 of the house of representatives.

11 (b) The members of the task force shall select the  
12 chairperson of the task force and shall be reimbursed for  
13 reasonable expenses, including travel expenses, necessary for  
14 the performance of their duties.

15 (c) The task force shall:

16 (1) Identify actions that will produce increased  
17 investment in and the availability of advanced  
18 broadband capabilities at more affordable costs by  
19 using new approaches to broadband deployment,  
20 including through increased access to public rights-  
21 of-way and shared fiber infrastructure;

- 1       (2) Identify administrative actions that will promote
- 2            broadband access and usage within the state;
- 3       (3) Make specific recommendations on how Hawaii can
- 4            leverage federal, state, and international
- 5            opportunities for and eliminate any related barriers
- 6            to broadband access and adoption;
- 7       (4) Focus special attention on how broadband can be used
- 8            to substantially benefit educational institutions,
- 9            healthcare institutions, community-based
- 10           organizations, and governmental institutions;
- 11       (5) Consult with public and private stakeholders to
- 12            coordinate statewide efforts to obtain and maximize
- 13            loan funding available for broadband deployment and
- 14            development projects in the state;
- 15       (6) Consult with private sector stakeholders to leverage
- 16            opportunities to increase investments in state-of-the-
- 17            art technologies, and new approaches to advancing
- 18            capabilities at reduced costs;
- 19       (7) Identify best practices to establish a database that
- 20            identifies current and prospective projects for
- 21            deploying broadband;



1 (8) Encourage all state and county agencies to lead by  
2 example by obtaining the necessary equipment for  
3 broadband usage and have full access to broadband  
4 service; and

5 (9) Encourage all state and county agencies to study the  
6 feasibility of and utilize various services that  
7 broadband provides such as streaming video  
8 technologies to broadcast public meetings over the  
9 Internet, videoconferencing, wireless Internet access  
10 in state and county facilities that are most used by  
11 the public, and the deployment of voice over Internet  
12 protocol (VoIP).

13 (d) The office of the auditor shall provide the research  
14 and organizational support services necessary to assist the task  
15 force in achieving its purpose as required under this Act.

16 (e) The task force shall submit a report of its initial  
17 findings and recommendations regarding improved broadband  
18 capabilities and services to the legislature no later than  
19 twenty days prior to the convening of the regular session of  
20 2008.

21 (f) The task force shall submit a final plan for the  
22 development of improved broadband capabilities and services,



1 including any proposed legislation, no later than twenty days  
2 prior to the convening of the regular session of 2009.

3 (g) The Hawaii broadband task force shall cease to exist  
4 after June 30, 2009.

5 SECTION 3. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$50,000 or so much  
7 thereof as may be necessary for fiscal year 2007-2008 for the  
8 purpose of supporting the work of the Hawaii broadband task  
9 force established in section 2.

10 The sum appropriated shall be expended by the office of the  
11 auditor for the purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 2007.

