
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 a state broadband strategy



1 officer, who shall be exempt from chapter 76, to head the
2 office. The corporation shall employ any staff, who shall be
3 exempt from chapter 76, as may be necessary for the purposes of
4 this chapter.

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 public and private entities in
13 Hawaii to enhance or facilitate the deployment of and
14 access to competitively priced, advanced electronic
15 communications services, including broadband and its
16 products and services and internet access services of
17 general application throughout Hawaii;
- 18 (3) Promote the landing of the trans-Pacific submarine
19 cable, including the development of a shared access
20 cable station and associated terrestrial connectivity
21 to 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) Promote coordinated broadband planning; and

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

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



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

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

17 (b) The council shall be composed of ~~[the director of~~
18 ~~commerce and consumer affairs, or the director's designee; the~~
19 ~~director of business, economic development, and tourism, or the~~
20 ~~director's designee;]~~ the chief executive officer of the Hawaii
21 technology development corporation, or the chief executive



1 officer's designee, and the following [~~twelve~~] ten members who
2 shall be equally appointed by the president of the senate and by
3 the speaker of the house of representatives as follows:

4 (1) Two members of the senate, appointed by the president
5 of the senate;

6 (2) Two members of the house of representatives, appointed
7 by the speaker of the house of representatives;

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

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

17 In making appointments pursuant to subsection (b) (1) through
18 (b) (3), the president of the senate and [~~the~~] speaker of the
19 house of representatives shall ensure representation of each of
20 the counties of Hawaii, Maui, and Kauai, and the city and county
21 of Honolulu by one or more appointed members. Except for the



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

14 (c) The ~~[director of commerce and consumer affairs]~~ chief
15 executive officer of the Hawaii technology development
16 corporation, or the chief executive officer's designee, shall
17 serve as chairperson of the council. The chairperson may
18 designate representatives of other interested public or private
19 sector organizations to serve as members of the council, or as
20 members of the work groups of the council to address specified
21 issues on an ad hoc basis, as the chairperson deems necessary.



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

7 (d) The council shall:

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



- 1 (5) Encourage public-private partnerships and
- 2 collaborations to increase the deployment and adoption
- 3 of broadband services and applications[-]; and
- 4 (6) Advise the chief executive officer of the Hawaii
- 5 technology development corporation on broadband
- 6 deployment."

7 SECTION 3. There is appropriated out of the general
 8 revenues of the State of Hawaii the sum of \$ or so
 9 much thereof as may be necessary for fiscal year 2021-2022 and
 10 the same sum or so much thereof as may be necessary for fiscal
 11 year 2022-2023 for the creation and staffing of the Hawaii
 12 broadband office, including the establishment of two full-time
 13 equivalent (2.00 FTE) positions that are exempt from chapter 76,
 14 Hawaii Revised Statutes.

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

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

20 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

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

Description:

Establishes the Hawaii broadband office within the Hawaii technology development corporation. 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 chief executive officer of the Hawaii technology development corporation to convene and chair the broadband advisory council. Appropriates funds. Effective 7/1/2050. (HD1)

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

