

ACT 2

H.B. NO. 310

A Bill for an Act Relating to Technology.

Be It Enacted by the Legislature of the State of Hawaii:

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

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

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

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

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

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

- (1) Three members of the senate, appointed by the president of the senate;
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives;
- (3) Four representatives of federal, state, and county government entities having a role in infrastructure deployment; management of public rights-of-way, regulation, and franchising; information technology; and economic development; and

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

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

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

(c) The task force shall:

- (1) Identify actions that will produce increased investment in and the availability of advanced broadband capabilities at more affordable costs by using new approaches to broadband deployment, including through increased access to public rights-of-way and shared fiber infrastructure;
- (2) Identify administrative actions that will promote broadband access and usage within the state;
- (3) Make specific recommendations on how Hawaii can leverage federal, state, and international opportunities for and eliminate any related barriers to broadband access and adoption;
- (4) Focus special attention on how broadband can be used to substantially benefit educational institutions, healthcare institutions, community-based organizations, and governmental institutions;
- (5) Consult with public and private stakeholders to coordinate statewide efforts to obtain and maximize loan funding available for broadband deployment and development projects in the state;
- (6) Consult with private sector stakeholders to leverage opportunities to increase investments in state-of-the-art technologies, and new approaches to advancing capabilities at reduced costs;
- (7) Identify best practices to establish a database that identifies current and prospective projects for deploying broadband;
- (8) Encourage all state and county agencies to lead by example by obtaining the necessary equipment for broadband usage and have full access to broadband service; and
- (9) Encourage all state and county agencies to study the feasibility of and utilize various services that broadband provides such as streaming video technologies to broadcast public meetings over the Internet, videoconferencing, wireless Internet access in state and county facilities that are most used by the public, and the deployment of voice over Internet protocol (VoIP).

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

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

(f) The task force shall submit a final plan for the development of improved broadband capabilities and services, including any proposed legislation, no later than twenty days prior to the convening of the regular session of 2009.

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

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

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

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

(Vetoed by Governor and veto overridden by Legislature on July 10, 2007.)