

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2644  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Economic Development, Tourism, and  
Technology, to which was referred S.B. No. 2644 entitled:

"A BILL FOR AN ACT RELATING TO BROADBAND SERVICE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require broadband internet access service providers to be transparent with network management practices, performance, and commercial terms of its broadband internet access services;
- (2) Prohibit broadband internet access providers from preventing equal access to the Internet by interfering with internet access; and
- (3) Require an applicant to comply with certain practices in order to obtain broadband-related permits for a state-granted or county-granted right to attach small cell or other broadband wireless communication devices to utility poles.

Your Committee received testimony in support of this measure from the Department of Education; Department of Business, Economic Development, and Tourism; and Hawaiian Electric Company, Inc. Your Committee received testimony in opposition to this measure



from Spectrum, AT&T, and CTIA. Your Committee received comments on this measure from Hawaiian Telcom.

Your Committee finds that recent action of the federal government in repealing net neutrality has caused distress and concern about the freedom from undue influence or interference in legal content from the Internet. Your Committee believes that the State must preserve the principles of net neutrality and provide an environment that supports open and free access to the Internet. Your Committee recognizes the concerns of legality in challenging the federal government's ruling to repeal net neutrality; however, your Committee believes the State has a duty to do its part to protect equal access to independent content on the Internet.

Your Committee has amended this measure, as suggested by Hawaiian Telcom, by:

- (1) Deleting language that would require an applicant for broadband-related permits to comply with certain practices when seeking a state-granted or county-granted right to attach broadband communication devices to utility poles; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Economic Development, Tourism, and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2644, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2644, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Development, Tourism, and  
Technology,

  
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GLENN WAKAI, Chair



