

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 478
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and
Judiciary, to which was referred S.B. No. 478, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND CABLE
INDUSTRY INFORMATION REPORTING,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Repeal chapter 440J, Hawaii Revised Statutes (HRS), relating to telecommunications and cable industry information reporting requirements for broadband service providers;
- (2) Amend the definitions of "broadband infrastructure" and "broadband service" under chapter 206R, HRS, relating to the Broadband Infrastructure Grant Program; and
- (3) Require the Department of Commerce and Consumer Affairs (DCCA) to make available for public inspection all broadband coverage reports that providers previously filed pursuant to chapter 440J, HRS.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; CTIA; Hawaiian Telcom; Charter Communications; and Maui Chamber of Commerce.



Your Committees received testimony in opposition to this measure from AARP Hawai'i.

Your Committees find that chapter 440J, HRS, requires broadband service providers to report annually to the DCCA, the percentage of each census block that does not have access to broadband service based on the Federal Communications Commission's (FCC) definition of broadband service. While this information was useful when chapter 440J, HRS, was first enacted, the FCC has since required broadband service providers to file more granular location-specific service information. Additionally, the data submitted by broadband service providers and collected and reported into the FCC's National Broadband Data Map is publicly available. This measure therefore repeals chapter 440J, HRS, as it is no longer necessary, to reduce the administrative burdens of broadband service providers in the State.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 478, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 478, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and
Judiciary,



KARL RHOADS, Chair

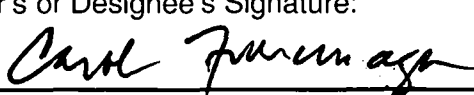


JARRETT KEOHOKALOOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i


Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 478 SD1	LBT, CPN/JDC	2/28/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)		✓		
MCKELVEY, Angus L.K.		✓		
RICHARDS, III, Herbert M. "Tim"		✓		
AWA, Brenton			✓	
TOTAL	1	3	1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 478 SDI	Committee Referral: LBT, CPN/JDC	Date: 2/28/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	—	1	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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