HOUSE RESOLUTION

URGING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH NEW RULES TO ENFORCE NET NEUTRALITY REQUIREMENTS FOR BROADBAND AND INTERNET SERVICE PROVIDERS WITHIN THE STATE OF HAWAII.

WHEREAS, the Federal Communications Commission has repealed net neutrality rules intended to protect consumers and to ensure fair and reasonable access to the internet; and

WHEREAS, "Net Neutrality Principles" means the adherence of broadband and internet service providers to the following:

(1) Providing access to all lawful content and applications regardless of the source;

(2) Treating all data fairly without favoring or blocking particular products or websites and without hindering, throttling, restricting, or prioritizing internet content, applications, or certain data streams; and

(3) Treating all data on the internet the same, without discriminating or charging differently by user, content, website, platform, application, service, type of attached equipment, method of communication, source, or ownership; and

WHEREAS, Hawai‘i citizens rely on a free and open internet to participate in the democratic process; and

WHEREAS, it is in the best interest of the State to ensure that corporations do not impede competition, engage in deceptive consumer practices, and that they offer broadband internet services to customers on a non-discriminatory basis; and
WHEREAS, internet services without corporate influence will benefit consumer choices; and

WHEREAS, net neutrality:

(1) Creates an equal playing field for access to information for our keiki and students to support their educational development; and

(2) Bridges the distance between our State, located in the middle of the Pacific Ocean, and other states, which significantly benefits our economy and communities by keeping our State open to innovation and economic growth; and

WHEREAS, Hawai'i's Executive Order 18-02 requires net neutrality in contracts for internet-related services in state government agencies; and

WHEREAS, it is the intent of the Legislature to assure that all necessary services in which the public relies, and which are provided through the internet must remain available to all citizens of the State; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the Public Utilities Commission is urged to adopt rules to enforce net neutrality requirements for broadband and internet service providers within the State, specifically prohibiting the following activities:

(1) Blocking lawful content, applications, services, or nonharmful devices, regardless of the source;

(2) Impairing or degrading lawful internet traffic on the basis of internet content, application, or service, or use of a nonharmful device, subject to reasonable network management practices;
(3) Hindering, throttling, restricting or prioritizing internet content, applications, or certain data streams;

(4) Engaging in paid prioritization, or providing preferential treatment of some internet traffic to any internet customer;

(5) Unreasonably interfering with, or unreasonably disadvantaging, either a customer's ability to select, access, and use broadband internet access service or lawful internet content, applications, services, or devices of the customer's choice, or an edge provider's ability to make lawful content, applications, services, or devices available to a customer; and

(6) Engaging in deceptive or misleading marketing practices that misrepresent the treatment of internet traffic or content to a customer; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Chair of the Public Utilities Commission.

OFFERED BY: __________________________

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