

MAR 14 2007

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A COMPREHENSIVE MANAGEMENT
AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF
COMMERCE AND CONSUMER AFFAIRS.

1 WHEREAS, the Cable Television Division (Division) of the
2 Department of Commerce and Consumer Affairs is the regulatory
3 authority with state jurisdiction over cable television
4 operators in Hawaii; and

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6 WHEREAS, the Division has never been subject to an
7 independent review or management audit since its creation; and

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9 WHEREAS, the State Procurement Office recently disapproved
10 the Department of Commerce and Consumer Affairs' request for an
11 exemption to directly negotiate contracts with nonprofit access
12 organizations selected by the Department of Commerce and
13 Consumer Affairs to manage cable access resources for each
14 county, without complying with the State Procurement Code; and

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16 WHEREAS, instead of granting the Department of Commerce and
17 Consumer Affairs' request for an exemption as noted above, the
18 State Procurement Office considers the period of the
19 Department's violation of the State Procurement Code to be from
20 the date of the 1997-1999 contracts with Olelo, Na Leo, Ho'ike,
21 and Akaku to June 30, 2006; and

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23 WHEREAS, federal regulation of cable television and related
24 broadband media are undergoing important and dramatic changes;
25 and

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27 WHEREAS, all of Hawaii's citizens and Hawaii consumers of
28 cable television and high-speed Internet services will benefit
29 from a review of state regulation; and

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31 WHEREAS, a review of state regulation of cable television
32 operators will ensure that best practices are in place; and



1 WHEREAS, a management audit of the Division will ensure
 2 that Hawaii cable television customers are protected and public
 3 interest obligations are met; now, therefore,

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 5 BE IT RESOLVED by the Senate of the Twenty-fourth
 6 Legislature of the State of Hawaii, Regular Session of 2007, the
 7 House of Representatives concurring, that the Auditor, with the
 8 assistance of the Legislative Reference Bureau to develop
 9 specific legislative proposals, is requested to conduct a
 10 comprehensive management audit of the Cable Television Division
 11 of the Department of Commerce and Consumer Affairs; and

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 13 BE IT FURTHER RESOLVED that the Auditor, with the
 14 assistance of the Legislative Reference Bureau, is requested to
 15 report its findings and recommendations to the Legislature no
 16 later than thirty days prior to the convening of the Regular
 17 Session of 2008; and

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 19 BE IT FURTHER RESOLVED that certified copies of this
 20 Concurrent Resolution be transmitted to the Governor, the
 21 Auditor, the Director of Commerce and Consumer Affairs, and the
 22 Administrator of the Cable Television Division.
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OFFERED BY:

J. Kalani Eguchi

George de Bel
Enzanne Chun Oakland
May L. Hara
Francis R. Inouye
Ann M. Ito
David Y. Lee
Will S. Lee

