

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 1789  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and Affordable Housing, to which was referred S.B. No. 1789, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS,"

begs leave to report as follows:

The purpose of this measure is to allow community television to develop and respond to the needs of the many diverse communities in the State by authorizing the Director of Commerce and Consumer Affairs to designate an access organization to oversee the development, management, and broadcasting of programs on public education and government (PEG) channels.

Specifically, this measure:

- (1) Authorizes the Director of Commerce and Consumer Affairs to designate an access organization to oversee the development, operation, supervision, management, production, and broadcasting of programs on PEG channels;
- (2) Allows the designation of an access organization to be exempt from the requirements under chapter 103D, Hawaii Revised Statutes, relating to the Procurement Code; and
- (3) Requires the Director of Commerce and Consumer Affairs to seek the advice of the Cable Advisory Committee on any decision designating, modifying, or rescinding a



designation of an access organization or the designation requirements.

Testimony in support of this measure was submitted by one private individual.

Your Committee finds that community television is an important and valuable forum that has the ability of informing, educating, communicating with, and representing the voices of various communities and groups. For example, residents of the Waianae Coast have benefited from Olelo's (an access organization) efforts in making PEG programs more accessible by placing a media center in Waianae as well as in five other communities with more locations planned for in the future. Authorizing the Director of Commerce and Consumer Affairs to designate an access organization to oversee the development, operation, supervision, management, production, and broadcasting of programs on PEG channels will ensure that access organizations will continue to provide these valuable community media services to the community.

Selecting a PEG organization through an open competition bid process may have a negative social impact on the rural districts in which these organizations serve. Thus, your Committee further finds that exempting designated access organizations from the Procurement Code under chapter 103D, Hawaii Revised Statutes, will ensure that quality PEG programming, which depends largely upon the sensitivity and perception of the provider to the needs and wants of the community, will continue to serve the community.

Your Committee notes that the previous committee, the Committee on Tourism and Government Operations, inserted into this measure an effective date of July 1, 2050. Your Committee encourages further discussion on the matter as this measure moves through the legislative process.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and style.

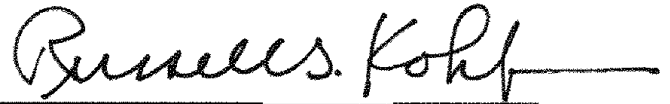
Your Committee believes that this measure, as amended, fulfills the intent of this measure, which is to allow community television to develop and respond to the needs of the many diverse communities in the State.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing



that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1789, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1789, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Affordable  
Housing,



RUSSELL S. KOKUBUN, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Commerce, Consumer Protection and Affordable Housing**  
**CPH**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1789 SD1	TSG, CPH	2-26-08

The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, Russell S. (C)	✓			
IGE, David Y. (VC)		✓		
ESPERO, Will	✓			
IHARA, Jr., Les		✓		
SAKAMOTO, Norman	✓			
TANIGUCHI, BRIAN T.				✓
TRIMBLE, Gordon	✓			
<b>TOTAL</b>	4	2		1

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature: *David Y. Ige*

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\*Only one measure per Record of Votes