

LINDA LINGLE
GOVERNOR



LATE

RUSS K. SAITO
Comptroller

BARBARA A. ANNIS
Deputy Comptroller

**STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES**
P.O. BOX 119
HONOLULU, HAWAII 96810-0119

TESTIMONY
OF
RUSS K. SAITO, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
SENATE COMMITTEE
ON
TOURISM AND GOVERNMENT OPERATIONS
ON
February 12, 2008

S.B. 1789

RELATING TO CABLE TELEVISION SYSTEMS

Chair Nishihara and members of the Committee, thank you for the opportunity to testify on S.B. 1789.

The Department of Accounting and General Services (DAGS) understands the desire of existing providers of public, educational, and government (PEG) access service to not have to compete for the contracts that the Department of Commerce and Consumer Affairs (DCCA) would award. There have been petitions before the Procurement Policy Board pleading that the procurement of such services should not be subject to the procurement code. Those petitions have been denied.

The application of the procurement code is specified in 103D-102, HRS, which states:

§103D-102 Application of this chapter. (a) This chapter shall apply to all procurement contracts made by governmental bodies whether the consideration for the contract is cash, revenues, realizations, receipts, or earnings, any of which the State receives or is

owed; in-kind benefits; or forbearance; provided that nothing in this chapter or rules adopted hereunder shall prevent any governmental body from complying with the terms and conditions of any other grant, gift, bequest, or cooperative agreement.

103 - 102 (b), HRS goes on to describe procurements that are exempted from the procurement code. In being moved into law, arguments were made that established that these procurements were not advantageous or not practicable for the State or Counties. Absent a compelling showing that procurement of access service management contracts are not advantageous or not practicable, the DCCA, a government agency, is fully subject to the procurement code.

DAGS does not believe that this bill presents a compelling argument for exempting access services management contracts from the procurement code.

Thank you for the opportunity to testify on this matter.

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair
Senator Donna Mercado Kim, Vice Chair
Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems.

Aloha, my name is Naturalee Puou, and I am writing to provide written support of Senate Bill 1789 and of 'Olelo Community Television as well. I was first introduced to 'Olelo through its Wai'anae facilities when I was fifteen years old and in the ninth grade. I volunteered to help film various community events and participate in their youth programs for almost two years. Nearly five years later, I now work as a College Intern at the Wai'anae 'Olelo Community Media Center, so I take no offense if you were to assume that I grew up in Wai'anae 'Olelo.

Despite my length of time with the organization, the value of public access was not made clear to me until it was recently threatened throughout the state. As I'm sure you are already aware of, 'Olelo Community Television has been fighting the RFP Process for nearly two years now, and I along with my fellow interns have been standing with them in the fight. A lot of people feel that this RFP Process would be a good thing, but I severely question if it would be for the "greater good". While those in opposition of the services that 'Olelo offers have been determined in pointing out all of the organization's flaws, I believe it is more important to look past the things that tempt us to ridicule the way ('Olelo) we receive something as wonderful as free speech through public access, and to focus on the bigger picture: getting our voices heard. It's why 'Olelo exists in the first place, after all. Not because of some agreement between the people and Oceanic Cable, and certainly not because it was something "cool" to have around. Those certainly aren't the bigger picture. 'Olelo exists for the people of O'ahu; to be seen, to be heard, to be free in voicing their opinions.

It took me five years to realize how lucky we are to have public access and community television. It took me five years to realize how lucky the people of O'ahu are to have 'Olelo! As a resident of Wai'anae, I believe that I can speak for a large portion of my community when I say that this is an organization cherished by the people as one of our own family members. And as an example, when family members make mistakes throughout their lives or when they make bad choices, it is not the Hawaiian way to get rid of the person and put their place in the 'ohana up for bid! The Hawaiian way is to make sure they learn from their mistakes and improve, as there is always room for improvement. Therefore, if 'Olelo loses its contract in a bidding process, how can it fix things and prove to the communities that it is worthy of providing services? I believe S.B. 1789 will offer them that second chance.

In the beginning of this drawn out RFP process, my stance was that in support of 'Olelo Community Television, public access on O'ahu wasn't broken, so there was no need to fix it. Two years later, I still support 'Olelo Community Television, but I am sure that it can be improved despite not being broken. S.B. 1789, I am confident, will give the organization the security it needs to be better. Mahalo for your time.

Naturalee I. Puou: College Intern Manager; 'Olelo Wai'anae
89-1105 Pohakupalena St.
Wai'anae, HI 96792
npouou@hawaii.edu

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

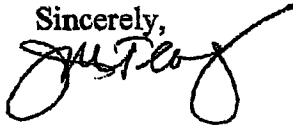
LATESupport of SB 1789, Relating to Cable Television Systems

Aloha, my name is Jean Teo-Gibney. I am a resident of the Wai'anae Coast, and have been using Olelo's facilities and resources for PEG access since May of 2004. Since that time I have seen many changes, amongst those was the initiative Olelo as a whole, but most especially Olelo Waianae, took to be more responsive to the communities it serves. They did this by participating in the community growth and planning, and not just being a passive resident.

The most notable changes came when Olelo began to include more 'social' programs such as the Summer Media Enrichment Program. This program itself proves that Olelo as the current PEG access provider truly accomplishes the mission of a PEG access provider, plus goes that extra step to be part of solutions to challenges and issues in their communities. This is fair and takes into consideration the welfare, needs and economics of the public. It also takes into account the social well-being of the people who purchase cable access and their families.

Exempt PEG access from the procurement process and designate the access organization according to their suitability, track record, compatibility and responsiveness to the people. There is really only one organization that fits the bill, and that is Olelo Community Television.

Sincerely,



Jean Teo-Gibney

LATE

Senator Clarence K. Nishihara, Chair
Senator Donna Merado Kim, Vice Chair
Tourism and Government Operations Committee
February 9, 2008

Support of SB 1789, Relating to Cable television Systems

My name is Shirley Pomaika'i Naho'opi'i. I am a resident and concerned citizen from the Wai'anae Coast who votes every election year. I am also a kupuna at Kamaile Elementary school. I am also a member of Kaleipapahi O ka Kuhihewa Organization, an advocacy of the Hawaiian Studies Program, Department of Education.

I am here today to testify that the selection of a PEG access organization (Olelo) be exempt from the competitive bidding process and support S.B. 1789. My understanding of PEG is not a commodity that should be bought, sold or put up for bid.

PEG's mission, I repeat, it's mission involves community building, nurturing local programming, and protecting each individual's First Amendment Rights. Hurray, at last we have somebody on our side!

Olelo has met all its goals and objectives with the people of Hawaii Nei. They have been doing their job, so why and what is the problem?

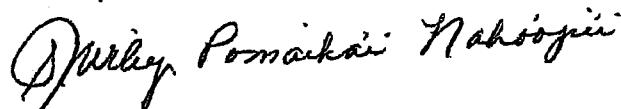
Please come and visit our Wai'anae Olelo Media Center located in the Wai'anae High School and witness our na keiki, ohana, city, state, government personnel, schools, various churches, ethnic organizations, teachers, community leaders, you name them, everybody is involved and participates in Olelo. Olelo is doing their job wholeheartedly, and somebody is planning to stop this wonderful program? Why? When it benefits our people!

I believe in Olelo and we're moving in the right direction because now we're here at the Hawai'i State Legislature to be heard. What a privilege and honor to thank you for your patience, time and effort.

By the way, allow me to say this about "Olelo"-
"E lawe I ke a'o a malama a e 'oi mau ka na'auao!"
"He who takes his teachings and applies them increases his knowledge."

This is Olelo, "the voice that speaks."

Mahalo,



Shirley Pomaika'i Naho'opi'i
Kupuna

LATE

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair
Senator Donna Mercado Kim, Vice Chair
Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems.

Aloha Senators Nishihara, Mercado Kim, Tsutsui, and Trimble:

My name is Kawika Nahoopii, I am the Manager of the Olelo Community Media Center at Wai'anae and most importantly a resident of the Wai'anae coast community. I ask for your support of Senate Bill 1789 – Relating to Cable Television Systems. This bill will keep the procedure for designating PEG access organizations and its' requirements essentially the same as it has been for nearly twenty years.

This process has allowed Olelo Community Television to develop and respond to the needs of the many diverse communities on Oahu. The people of the Wai'anae Coast have greatly benefitted from Olelo's wisdom with making PEG services more accessible by placing a Media Center not only in the Wai'anae, but also in five other communities with the hope to open more. Olelo responded to the community's need with providing services, training and equipment to youths.

Olelo not only responds to the public sector, but partners with the Government sector by providing coverage of Neighborhood Board meetings, Town Halls, discussion programs for elected officials, and of course coverage of various meetings and sessions of the Legislature and the Honolulu City Council. Olelo has responded to the needs of the Education Sector by partnering with schools throughout Oahu. Nearly all of Olelo's Media Centers are located on school campuses. This allows Olelo the opportunity to engage school aged students in many thought provoking activities and projects that impact their lives and community, such as littering, recycling, the environment, social issues, cultural events, government and civics, like Capitol Commentary.

It's not that I'm opposed to a procurement or a bidding process for contracts that seek to provide a specific service such as construction of a building or a road. An RFP process for Community Access Television is inappropriate for prescribing the somewhat intangible needs of unique and diverse communities that exists throughout Hawaii nei.

Olelo is about you, me, and community. It's about the world in which we live. Let's keep it the way it is, because it is working successfully for all communities. Support Senate Bill No. 1789.

Mahalo,



Kawika Nahoopii
knahoopii@olelo.org

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems.

Aloha Kakou Senator Clarence Nishihara and Member of the Tourism and Government Operations Committee.

My name is Kupuna Ruby Maunakea, I am a Clerk Typist at Leihoku Elementary School and the President of the Nanakuli Hawaiian Civic Club. I humbly request your support for Senate Bill No. 1789, which is relating to Cable Television Systems.

I am against Olelo Community Access TV having to go through an RFP or Bidding Process. I believe SB 1789, would help to keep Olelo operating the way it's been operating which is the way we want it. It keeps getting better and better for everyone in our Waianae community that we don't want it to change. We especially don't want somebody else who don't know our community coming in and changing things.

Olelo has always listened to us, they are patient with us. It's not easy for us Kupuna to learn to make television programs. Olelo is patient with teaching us and they have all these youngsters helping us to learn and finish our programs. Not anybody can do these things.

Only Olelo has done these things and we want it to stay that way. Don't change it! Vote in SUPPORT of SB 1789.

Mahalo,



Kupuna Ruby Maunakea
89-081 Kihonua Place
Waianae, HI 96792

Senator Clarence K. Nishihara, Chair
Senator Donna Merado Kim, Vice Chair
Tourism and Government Operations Committee
February 9, 2008

LATE

Support of SB 1789, Relating to Cable television Systems

My name is Pastor Sally Jane Amina and I have a program on Channel 52 with Olelo called, "Have Faith In God." As a community member I am grateful to be able to use the facilities and equipment available to us, as well as take advantage of the ever-present assistance by staff, interns, volunteers, clients and others. It was not always like this.

In the beginning – before Olelo as the current PEG access provider, when my husband and I first started our program in 1989 we had to go all the way to town in order to make a 15 minute program every week. After a time we went to the old Sony to record our program, which was scaled down to only 5 minutes, and then after a couple of months we went through technology classes to learn to use the camera equipment as well as attend a producer's course. In order to become licensed we had to complete a project as a class. Once we were licensed we were able to borrow the equipment and do our own taping; however, we did still have the challenge of traveling to town every week, having to find a place to do our filming at, returning equipment back to town and doing our editing in town, too. By this time we were able to do a 30-minute program each week.

I share all of this with you so that you know I understand the value and importance of PEG access and having the right provider in place. PEG access cannot only be about programs, although that is the medium we use as the voice of our community, but PEG access must also be about building and nurturing a community and all the relationships within it.

That is why I support Bill no. 1789, because although the director will still be responsible for designating an access organization and the requirements it must meet, it also states that the 'terms and conditions upon which requirements for the designation is provided are fair to the public, taking into account the geographic, topographic., and economics of providing cable access in the service area.' (Section 1.c.)

Also, I believe that PEG access and the designation of its provider should not be based upon the best bid, but upon the best qualifications of the access organization to meet the needs of the community, the goals set for future growth as well as to provide the necessary facilities, equipment, training, support and fellowship between staff and volunteers that best serve the needs of the communities PEG access exists in. (Section 1.e.)

Respectfully yours,



Pastor Sally Jane Amina
808-696-1790 (for further contact)

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems

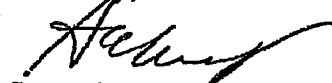
Aloha kakou, I am Ah Ching George Poe, Jr. or Uncle Sonny to everybody. My family and I started as clients at 'Olelo for our church and soon grew to be part of the 'Olelo 'ohana. We are a close knit group that includes everyone we come into contact with once or many times. At the Wai'anāe facility that we use we learned what it meant to truly work as a family unit and take initiative in our own community. Through 'Olelo we also learned of the great honor and responsibility we had by using the resources allotted to us through the whole PEG access process.

What I want to point out is that although 'Olelo has been the PEG access provider for the past 16 years they have not been idle and growing fat on their laurels or conceited in their position as the PEG access provider. Instead they have continued to seek ways to improve PEG access as well as how to make it more accessible and meaningful to communities around Oahu. They have initiated and brought to outlying communities, such as my own Wai'anāe area, resources that include centers, staff, training, equipment and a strong sense of family and volunteerism/philanthropy.

By encouraging volunteerism individuals have come to realize that more can be accomplished when 2 or more people come together to help, and that change can be made when a group of people who believe strongly in an issue speak up about it. By encouraging giving back communities have begun to see changes for the better and by focusing on the family unit and living by example at Wai'anāe 'Olelo our youth have begun to see that there are better things available to them if they make an effort to look beyond their borders and limits of stereotypical stigmas. Public access has given us all of this, and no price tag can be put to this.

How do you price this kind of effort? How do you write into a proposal that an organization must do and accommodate all of these activities? I do not know, but what I do know is that the attempts that have been made are abysmal, inefficient, ineffective and quite frankly offensive. This is why I am writing to you in support of SB 1789. This is why I am asking you, encouraging you and strongly urging you to listen to the voice of the people crying out to you to pass this bill which will exempt the PEG access procurement process, and to continue to allow 'Olelo to act as the PEG access provider for Oahu.

Sincerely,



Sonny Poe

LATE**COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS**

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Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems

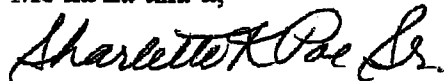
Aloha mai. My name is Sharlette K. Poe, Sr. and I am a resident of Wai'anae, a client of 'Olelo, a parent of a former Wai'anae Media Intern and a kupuna in our church group that utilizes the resources in our community for public access. I am writing in support of SB 1789 and an exemption for the PEG access provider process. I am also in strong support of 'Olelo continuing as the PEG access provider for Oahu.

'Olelo has proven itself over these past 16 years as the most qualified, the most progressive, the most receptive and approachable to and about our community's issues and concerns, as well as being open to suggestions on how to make public access better for our community. 'Olelo has taken 'building community' to a whole new dimension by being an actual participant to change and improvements in our community and not just a passive observer. 'Olelo has utilized the resources available to them wisely and for the betterment of our communities as a whole, and has made the people of the communities they serve a priority in their operations.

They do this by looking for ways to integrate media into 'social' programs so that our future generations do not lose the opportunity they have to exercise their rights to freedom of speech. They do this by using media as a tool to teach youth about responsibility and being proactive. They do this by using media as the vehicle to bring generations together into a harmonious relationship set on a solid and strong foundation of core values they can take with them wherever they go. 'Olelo encapsulates and embodies the true meaning of aloha, by being more than just an access provider organization, and by being part of our 'ohana.

PEG access should be more than just a building with equipment and people waiting for the community to come to them and use their facilities and equipment, PEG should be about building community. This is why I support SB 1789 and the exemption from the procurement process. This is also why I urge you to vote in favor of this bill, and to continue to have 'Olelo serve as the PEG access provider of choice by the people.

Me ka ha'aha'a,



Mrs. Sharlette K. Poe, Sr.

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems

Greetings. My name is Daryllin N. Cornelison and I reside on the Waianae Coast. I have been utilizing resources of the current PEG access provider, Olelo, for a little over 2 years and have begun to truly understand the importance of a community having access to resources to exercise their freedom of speech. Olelo has taken the concept of public access television to a whole new level by actually taking public access into various communities on Oahu. They have made resources easily accessible to all ethnic groups, age groups, generations and denominations. By going into a community, Olelo has learned what it takes to build community by participating in the community as a member and not just as an observer or bystander.

Olelo has helped to find solutions to issues and problems that each community has by being there when no one else would cover a story, or at least by having equipment available for citizens to use to cover events that regular stations may not deem 'big' enough for coverage. But to each community every single happening that affects or causes effects in their midst is of importance and should be covered so the people are empowered with knowledge. Public access provides this, and Olelo truly lives and breathes this. Public access is more than just being an organization housed in a physical building waiting for the people to come to you, public access is about making resources available for community members to have a voice, and making it *accessible*.

This right should not be put up for bid, nor should it be dictated by those who are out of touch with the communities who use these resources. It should be overseen by a responsible, responsive and interactive organization that keeps in the forefront of its mission and operations, the good of the people they serve. PEG access should not be subject to the dollar, but instead should be subject to the voices of the people

Please exempt PEG access from the procurement process, and allow the most suitable, experienced and appropriate organization to be designated, this to me means Olelo. Olelo makes it their mission to build community through each generation of people in their communities; from small children to youth, to young adults, makua and kupuna. Don't let the future of our generations be up for the best bid, do the responsible thing and exempt PEG access from the procurement process and designate Olelo as the PEG access provider once again.

Yours truly,



Ms. Daryllin N. Cornelison

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair
Senator Donna Mercado Kim, Vice Chair
Tuesday, February 12, 2008, 1:15 PM, Rm. 229

LATE

Support of SB 1789, Relating to Cable Television Systems.

I have been working in broadcast production for over twenty years. Training myself on everything from operating a one inch playback machine to A&B roll editing. Back then the TV world was a closely guarded secret. Today NLE has taken over and an ever changing computer controlled galaxy of communication continues to expand the universe. Waianae OLELO is a backbone of desperately needed education and training for adults and youth in video production that is today a growing requirement of corporate communication.

OLELO goes far beyond the title of community television and is more of a training ground for Hawaii's present and future economy by providing and training OLELO members the art of today Non Linear Editing, camera operations, production values, creativity, scheduling, client relations and business sense. One must look beyond just the TV screen too discover the real rewards of OLELO. I have been with Waianae OLELO since 2004 and look forward to continue growing with her.

Sincerely



Gerard Kaman
Member I.A.T.S.E.

2/9/08

LATE

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair
Senator Donna Mercado Kim, Vice Chair
Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems.

To Whom It May Concern:

I am writing in favor of S.B. NO. 1789. This bill will allow convenience of access for all the Olelo volunteers in the daily operation of producing, editing and filming of our community based topics. The present operation also allows a person from the general public opportunities to be trained and nurtured in the aspects of making a presentable program for viewing. Without this bill there may not be a convenient place to operate or proper training for those who want to pursue this avenue.

Respectfully,


Frank Trippett

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

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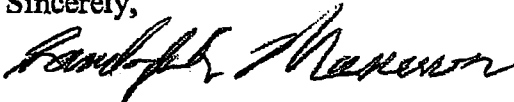
Support of SB 1789, Relating to Cable Television Systems

Aloha. My name is Randolph Manewa, Sr. and I am a new client to Olelo along with my wife, Candace. We have only recently begun to make use of the resources made available to us the public through Olelo, but we have already learned to appreciate so much. It is a blessing to know that our communities have access to equipment and facilities as well as training to use the equipment through a competent and trustworthy organization such as Olelo.

Since we have become clients we have learned so much about why we have the resources we do and how some of these resources actually came to be in our community. Only because the current access provider, Olelo, had the vision and consideration for the people did they think to bring community media centers out into the communities instead of just having one location and waiting for people to come to them. For a "corporation" to understand the challenges facing the 'average' citizen and make adjustments to meet those needs is an exceptional thing; for a corporation to actually make those adjustments by committing money and other resources can only be described as 'aloha'.

How can that be put to bid? How can a monetary value be placed on something so intangible yet have such an impact on lives? It cannot. Public access should not go to the best bid, but instead be given to the most responsible and qualified organization that has a reputation of integrity, responsiveness, passion, 'pono' and 'aloha'. Do the right thing and support Bill 1789, exempt PEG access and designate Olelo once again as the best qualified organization to carry forward Oahu's PEG access.

Sincerely,



Mr. Randolph Manewa

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems

Aloha, my name is Candace Manewa and my husband and I are new Olelo clients. So, we are also new to this whole issue of PEG access being up for bid and put through the procurement process. However, we do understand the need for public access television and the avenue it provides for the community members to have a voice. Public access television provides us with the means, training, facilities, equipment and other resources in the form of people, to do this. In this short time that my husband and I have been clients of Olelo we have seen the intricate relationships woven between Olelo and the many members of the communities they reside in and serve.

Olelo, as the current access provider, has shown itself to be considerate of the needs of its communities as well as sensitive to the many difficulties each unique community may face at any given time. Instead of merely being passive observers in the daily struggles of the people, Olelo has made it their mission to be part of resolutions and answers to key issues that affect our people.

Consideration, caring and initiative like this cannot be measured in dollars and cents, but instead this kind of aloha can only be proven through years of experience, struggles through change and strife, and meticulously building lasting relationships over years of interaction and integration. So, please support SB 1789, exempt PEG access from the procurement process, and designate the most qualified organization out there, Olelo Community Television.

Sincerely,



Mrs. Candace N. Manewa

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

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Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems.

Aloha Chair Nishihara and Committee Members,

My name is Kalua Dung. I am a Producer with Waianae Olelo Community TV. I would like you to Support SB 1789 – Relating to Cable Television Systems. If this bill helps to keep Olelo Community Television stay in our community and continue doing all the good work that it's been doing, then why would you not support it.

I've seen for myself how Olelo has helped to bring our community closer together. Olelo is part of the Waianae Ohana network. Olelo is like an Ohana for many us clients, especially the young kids who need someplace safe to hang out. These kids help us older people to do programs. They get involved with lots of things in our community. Wai'anae is getting a good reputation now because of Olelo Television.

Again, I want you to support SB 1789, which would help keep Olelo Community Television in our Wai'anae community.

Mahalo,



Ms. Kalua Dung

84-1200 Mauna Ola St.

Waianae, HI 96792

Ph. 696-7998

LATE

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

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Support of SB 1789, Relating to Cable Television Systems

Aloha, my name is Mr. Leslie Awana, Sr. I am a resident of the Wai'anae Coast. I want to take this time to acknowledge my sincere appreciation to the staff of the Wai'anae 'Olelo Facility.

I want to note that this 'Olelo facility and its staff has, from the very start of our group using this community access facility, has shown our group, "The Remnant Church" the highest professionalism. It has been close to 5 years since we started here.

This staff has always helped us in training to use the equipment as well as by mentoring us each time we had scheduled filming. We are very happy because of the help shown by the Wai'anae staff as well as student helpers.

I pray that those in charge will see the power of people Access because without a qualified provider, namely 'Olelo, the people would not have "freedom" to speak to share the values of tradition and culture!

Truly,

Mr. Leslie Awana Sr.

Mr. Leslie Awana, Sr.

LATECOMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems.

Aloha, my name is Ka'imi Dung, and I am a Wai'anae community resident, a business owner, and an active community events coordinator. I urge your support for SB 1789, Relating to Cable Television Systems.

Olelo Community Television is very important to our community. It is doing what their jingle says "building community" through the children, the youths, the adults and the kupuna. One shouldn't mess with something that is working very well.

Like the saying goes, "don't fix it, if it's not broken." Pass SB 1789, and you'll be doing the right thing.

Mahalo,



Ka'imi Dung
84-1200 Mauna Ola Street
Wai'anae, HI 96792
Ph. 696-7998

LATE

1 of 3

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems

Greetings and aloha to you all. I am writing today as a Wai'anāe resident, an 'Olelo client, a native Hawaiian, and a concerned citizen. My name is Ms. Sharlette L. K. Poe, Jr. and I am here to relate to you my travels along this road called PEG access on a vehicle called 'Olelo.

I started as a client with 'Olelo for our church organization, Ark of Safety Christian Fellowship in Wai'anāe, exactly three years ago on February 11th. As you know a lot can happen in three years, and so much has in public access as a whole and with 'Olelo. I had only peripheral experience with public access and no real understanding until I came to the Wai'anāe 'Olelo facility and took the classes and met the people. It was while I struggled to quickly learn and implement my new skills for our church projects that I realized the people here are what made the experience great. They helped me to get through the bumps and barriers in my progress with PEG access, and helped to grow my confidence in using the equipment.

In fact, they helped it grow so much I became a member of the staff that helps to introduce PEG access and 'Olelo to the rest of the communities, that helps to train new clients on what PEG access is, how 'Olelo plays a vital role in Oahu's PEG access, and how they as concerned citizens and individuals of the community can also play a great role in instigating positive change in our community.

At Ark of Safety and as a faith-based non-profit we did not have a lot of money to purchase equipment to film or to edit our programs that we filmed, much less to pay for airtime of our programs. We knew that what we offered to our community members was life changing and could assist them in their day to day struggles, too, if they but knew about us. PEG access, namely 'Olelo, helped us to accomplish this. By having a convenient location in our community with cutting edge equipment and creative software, as well as the knowledgeable staff and willing assistance from others we were able to get our voice heard by our community members. What was even better was that by using our PEG access provider and the resources they put aside for us, we are able to consistently help those in our community in their daily lives.

We were able to help because we had a center for public access in our community, and 'Olelo made that possible. The people they employ are from the community so it helps to not only provide jobs, but also helps 'Olelo to truly know what the community needs are, what issues are important to the citizens and how they ('Olelo) can be of assistance to the community and not a hindrance. I love the fact that 'Olelo strives to provide not just physical and monetary means to provide access, but also emotional support and

encouragement, too. There is no real way to measure that tangibly as aloha is an intangible item; however, the results speak for themselves when you see youth who are stained by the stigma that mainstream media paints them with stand up and speak before you about themselves, their families, and the struggles they have endured and where they have come from. Most impressive of all is to see the results and hear the pride of accomplishment in their voices when they tell you about where they are at now and how they came to be here.

We see youth formerly cowed by the ugly reality of life and angry at everyone around them for the injustice they perceive done them, finally pull back their shoulders and say I now know who I am, and although I may not know exactly what I want to do I do know that I can make a difference in whatever I pursue if I just educate myself, ask questions and speak up for what I believe strongly about, and participate in the processes that make decisions about our futures. In fact some of you may know some of these youth I describe as many of them have interviewed you for Capitol Commentary. They see in you something they believe in and admire. Do not do what so many have done before and ignore their voices and discount their concerns and requests, but instead take into account the time, effort and passion they have invested in this whole process, and support SB 1789.

PEG access is not only about existing in a building and having the people come to you, but it is about residing in the community, and participating in all the events that happen within that community. It is about being part of a family that comes together when the community needs you and about just listening when they need to cry out; it is about being part of solutions and not part of problems; it is about being available and accessible to those who need you; and most of all it is about the multi-generations of people that make up that community.

It is about the kupuna who realize they are not pushed aside, but are eagerly sought for their experience and knowledge of the past, and how that can be applied to our present and the future. It is about seeing young children realize that they have options and choices for a better future than what their families have now if they only put forth their own efforts and combine with those who work with and for them, too. Their voices make a difference especially when called out in harmony with others around them. It is about families recognizing they want more and better for their children and supporting the good things and programs in our communities to help them achieve this goal. And it is about bridging the gap between generations so that there is cohesive harmony and intermingling with shared stories, opinions, ideas and suggestions that can only help to better the chances of our younger generations taking responsibility and initiative to improve the lives of our people as a whole.

3 of 3

We take joy in the fact that the aloha poured into them, although it cannot be quantitatively measured, we can see results in their improved grades, improved attendance, improved family relations, improved relationships with others, whether peers or those in authority over them. Where before these youth would resent, balk at and resist authority they now try to work along with authority to help set examples for others, and to make good and lasting changes in their own surroundings.

Changes like these do not come about because an organization or individual was mandated and ordered to do it. Changes like these come about because people see the need and are moved by love and compassion to make a difference in the lives of those around them. This cannot be written into any RFP, or put out for bid. Who can guarantee that the best bid would be best for the people who a PEG access provider is supposed to serve? The only way to guarantee that successes like this continue and are implemented in other communities is to support SB 1789, which will exempt PEG access from the procurement process, and also I ask that the Director continue to designate 'Olelo Community Television as the PEG access provider for Oahu. So, please, heed the voices of the people and vote in support of SB 1789.

Sincerely,



Ms. Sharlette L. K. Poe, Jr.

testimony

From: Sandra Atherton [sandra@seagoddess.net]
Sent: Monday, February 11, 2008 10:31 PM
To: testimony
Subject: FW: This is outrageously Evil!! Please take Action!!

LATE

Senator Clarence Nishihara, Chair
Senator Donna Mercado Kim, Vice-Chair
Committee on Tourism and Government Operations (TSG)
testimony@capitol.hawaii.gov

February 10, 2008

Testimony in Support of SB1789, Relating to Cable access television

Aloha,

WE are Sandra Atherton and Henry VanderVelde, residents of Wailuku . As Maui residents,weI have experienced 1st hand the amazing efforts that Akaku puts forth to continue bringing Maui channels 52, 53 or 54.

Akaku goes above and beyond to ensure freedom of speech, which is now at risk and has been for longer than I care to remember. With so many citizens who seem to watch as our freedoms are daily attacked, its nice to know that there is still a place to access the community with your voice ."

This is their service to the community. This is the service that ensures every resident the opportunity to exercise their important First Amendment rights.

It seems that corporate entities have a hard time understanding the value of this community service. We are counting on the Hawaii State Legislature to do what is right for local public access stations.

Senate Bill 1789 is important PEG Access stations—as independent nonprofit organizations—should not be subject to procurement. A competitive sealed bid process would effectively take the "public" out of public access. SB1789 would ensure that changes for PEG access would be decided in the open, before the public, and under financially reasonable conditions for

PEG access. It would also create clear and minimal guidelines that protect the public's right to participate in deciding what kind of access organization and service we want.

We support SB1789 because it doesn't change the legislature's policy towards access organizations or access channels, and because it clarifies the legislature's policy on procurement and public access. We urge both the Hawaii State Senate to pass SB1789 as quickly as possible.

Mahalo,

Sandra Atherton and Henry VanderVelde
Wailuku, Maui

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testimony

From: Shiva [shiva@haleakuagardenfarm.com]
Sent: Tuesday, February 12, 2008 4:00 AM
To: testimony
Subject: Fwd: This is outrageous! Please take Action!!

LATE

Begin forwarded message:

From: Shiva <shiva@haleakuagardenfarm.com>
Date: February 12, 2008 12:27:13 AM HST
To: tesimony@capitol.hawaii.gov
Subject: Fwd: This is outrageous! Please take Action!!

Senator Clarence Nishihara, Chair
Senator Donna Mercado Kim, Vice-Chair
Committee on Tourism and Government Operations (TSG)
testimony@capitol.hawaii.gov

Michael D'Addario

February 12, 2008

Testimony in Support of SB1789, Relating to Cable access television

Aloha,

I'm Ben Yashon and a resident of Huelo. As a Maui resident, I have experienced 1st hand the amazing efforts that Akaku puts forth to continue bringing Maui channels 52, 53 or 54.

Akaku goes above and beyond to ensure freedom of speech, which is now at risk and has been for longer than I care to remember. With so many citizens who seem to watch as our freedoms are daily attacked, its nice to know that there is still a place to access the community with your voice ."

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Mahalo,

Michael D'Addario

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testimony

LATE

From: Pamela Davis [liberate@hawaii.rr.com]
Sent: Tuesday, February 12, 2008 5:55 AM
To: testimony
Subject: Testimony RE: SB 1789

Please deliver this testimony to Committee Room 229, for TSG hearing at 1:15 p.m. on Tuesday, Feb. 12, 2008.

RE: SB 1789, Relating to Cable Television Systems

Dear Legislators,

We are opposed to any measure which would interfere with the public's right to broadcasting, including our own 'Olelo television station.

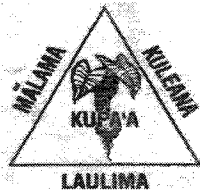
The general public has little resources to air programs, as the media is dominated by large corporate interests. Those interests have their own agenda, and we must not allow such interests to interfere with the public's right to air alternative programming.

Pamela Davis, President of Animal Advocate, Inc., is a certified producer and video film editor at 'Olelo, and have produced several shows. We are currently waiting for one of our programs to debut on Channel 52 and 53, in another week. We have aired programs on animal cruelty as well as an interview with internationally-known expert on Mad Cow Disease, Mr. Howard Lyman, who is the author of the book "The Mad Cowboy." Please do not pass any legislation which would allow public access television to be "overseen" by any corporate interests. We the public want to be able to develop, operate, manage, produce and broadcast whatever types of programming we wish, and we do not want any outside interests involved which could curtail our ability to air controversial subjects or subjects that certain corporate interests do not want aired.

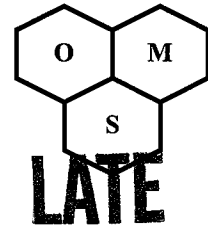
Please do not take that away, and do not ruin public television for our community.

Sincerely,

Pamela Davis
Animal Advocate, Inc.
Honolulu
<http://www.animaladvocateinc.org/index.htm>



**COMMUNITIES IN SCHOOL OF HAWAII
PROJECT OF VOLUNTEER RESOURCE
CENTER OF HAWAII**
"Where 'Ohana Is More Than A Word"



94-366 Pupupani Street, Suite 303 Waipahu, Hawai'i 96797 Phone: (808)671-4900 Fax: (808)671-4800 E-Mail: cishawaii@aol.com

To: Committee on Commerce and Consumer Protection and Affordable Housing, Ways
And Means Committee

From: Sister Bitrina Kirway, M.M., Maryknoll Sisters Center Pacific Region

Re: SB 1789 Olelo Community Access Television
February 11, 2008

Aloha,

On behalf of the Maryknoll Sisters Central Pacific Region and the Communities In Schools Hawai'i, I strongly support SB1789 Olelo Community Access Television.

Unlike many "newcomers", agencies, Olelo did it the right way. They came first to learn of the community and how best they could serve with existing agencies, schools, etc.

Olelo is like an 'ohana to us. They come and listen to our stories, help us tell our own stories they way in which we want to share who we are instead of somebody telling other people about who we are. 'Olelo is an educational tool. Which other media does as Olelo?

We developed a relationship because we have seen how Olelo work with others, they are interested in our stories and they make us own our own stories. Olelo engaged others such as and older Sisters in the community to share their stories with the younger sisters. This is a passing of legacy to the generation yet unborn. This is the only tool that I know is willing and interested in developing community to share their stories through media.

They are clear about their mission and they are driven by it to develop communities. As a Maryknoll Sister and as community advocate I am encouraging you to allow olelo to continue it's good work. Olelo is for the community and for the public voice.

Should have any questions please feel free to contact me at 671-4900

Aloha and Mālama Pono

Sister Bitrian Kirway
Maryknoll Sisters Central Pacific Region

testimony

LATE

From: haikuplantation@aol.com

Sent: Tuesday, February 12, 2008 7:45 AM

To: testimony

Ben Yashon

February 12, 2008

Testimony in Support of SB1789, Relating to Cable access television

Aloha,

I'm Sandra Beck and a resident of Haiku. As a Maui resident, I have experienced 1st hand the amazing efforts that Akaku puts forth to continue bringing Maui channels 52, 53 or 54.

Akaku goes above and beyond to ensure freedom of speech, which is now at risk and has been for longer than I care to remember. With so many citizens who seem to watch as our freedoms are daily attacked, its nice to know that there is still a place to access the community with your voice ."

This is their service to the community. This is the service that ensures every resident the opportunity to exercise their important First Amendment rights.

It seems that corporate entities have a hard time understanding the value of this community service. I'm counting on the Hawaii State Legislature to do what is right for local public access stations.

Senate Bill 1789 is important PEG Access stations—as independent nonprofit organizations—should not be subject to procurement. A competitive sealed bid process would effectively take the "public" out of public access. SB1789 would ensure that changes for PEG access would be decided in the open, before the public, and under financially reasonable conditions for PEG access. It would also create clear and minimal guidelines that protect the publics right to participate in deciding what kind of access organization and service we want.

I support SB1789 because it doesn't change the legislature's policy towards access organizations or access channels, and because it clarifies the legislature's policy on procurement and public access. I urge both the Hawaii State Senate to pass SB1789 as quickly as possible.

Mahalo,

Sandy Beck

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2/12/2008

SB1789
LATE TESTIMONY
SUBMITTED AT
HEARING

testimony**LATE**

From: pixiechase@aol.com
Sent: Tuesday, February 12, 2008 10:14 AM
To: testimony
Subject: I support SB1789: No Procurement Please!

LATE

Aloha,

My name is Amanda Wilson, I am a resident of Huelo, and I love and care about Akaku! I have experienced 1st hand the amazing efforts that Akaku puts forth to continue bringing Maui channels 52, 53 and 54.

Akaku goes above and beyond to ensure freedom of speech, which is now at risk and has been for longer than I care to remember. With so many citizens who seem to watch as our freedoms are daily attacked, its nice to know that there is still a place to access the community with your voice.

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Mahalo,

Amanda Li Wilson

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2/12/2008

testimony

From: marksheehan8@gmail.com on behalf of Mark Sheehan [mark@marksheehan.com]
Sent: Tuesday, February 12, 2008 11:08 AM
To: testimony
Subject: Testimony for SB 1789, Cable Access

LATE LATE

Senator Clarence Nishihara, Chair
Senator Donna Mercado Kim, Vic-Chair
Committee on Tourism & Government Operations

February 12, 2008

Testimony in Support of SB1789, Relating to Cable access television

Aloha,

I'm Ben Mark Sheehan and a resident of Haiku. As a Maui resident, I have experienced first hand the amazing efforts that Akaku puts forth to continue bringing Maui channels 52, 53 or 54.

Akaku goes above and beyond to ensure freedom of speech, which is now at risk and has been for longer than I care to remember. With so many citizens who seem to watch as our freedoms are daily attacked, its nice to know that there is still a place to access the community with your voice ."

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--

Mark Sheehan | REALTOR Broker

Direct: 808-283-2158

Home: 808-573-0111

www.MarkSheehan.com

Equity One Real Estate, Inc.

Larry Geller
Honolulu, HI 96817

SB1789
TSG
Tuesday February 12, 2008
1:15 p.m.
Room 229

COMMITTEE ON TOURISM AND
GOVERNMENT OPERATIONS
Senator Clarence K. Nishihara, Chair
Senator Donna Mercado Kim, Vice Chair

**LATE
LATE**

February 12, 2008

Re: SB1789— Relating to Cable Television Systems

In Support—with amendment request

This bill clarifies that procurement of services to provide public access television services is not the same as the state buying goods and services. As in the past, contracts shall be exempt from the requirements of Chapter 103D.

This continued exemption will ensure that services are not disrupted every three years or so by the procurement process, and recognizes that the funds which the cable companies are required to pay for public access channels and services are not the same as other public funds. They don't come from the state treasury and aren't used to purchase goods or services the way tax money is spent.

Television broadcasting and citizen journalism is evolving and cannot be reinvented every contract cycle. Just the time, effort and expense necessary to win competitive bidding and the dumbing down of the service offering in order to be lowest bidder is destructive.

Amendment request

I would request, however, that this Committee take the opportunity to revise the section of the bill relating to the cable advisory committee to make it more representative of the community served. There is a model in that the PUC contract with the telephone relay service for the deaf created an advisory committee consisting of users of the service rather than governor appointees. While the committee is advisory in any case, letting **users** provide the advice will help the service remain more responsive to their needs than having the governor appoint committee members who may reflect a particular political agenda or platform.

Again, the idea is to help nurture and grow public access television and make it independent of political pressure as much as possible.

These are **the people's television channels**, they shouldn't be subjected either to commercial or religious pressure through bidding or to political pressure through the advisory committee.


Larry Geller

testimony

From: Lori Carpenter [lkcmaui@gmail.com]
Sent: Tuesday, February 12, 2008 11:28 AM
To: testimony
Subject: Akaku - The Voice of the People

LATE

LATE

Lori Carpenter

February 12, 2008

Testimony in Support of SB1789, Relating to Cable access television

Aloha,

I'm Lori Carpenter and a resident of Kihei. As a Maui resident, I have experienced 1st hand the amazing efforts that Akaku puts forth to continue bringing Maui channels 52, 53 or 54.

Akaku goes above and beyond to ensure freedom of speech, which is now at risk and has been for longer than I care to remember. With so many citizens who seem to watch as our freedoms are daily attacked, its nice to know that there is still a place to access the community with your voice ."

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I support SB1789 because it doesn't change the legislature's policy towards access organizations or access channels, and because it clarifies the legislature's policy on procurement and public access. I urge both the Hawaii State Senate to pass SB1789 as quickly as possible.

Mahalo,

Lori Carpenter

2/12/2008

LATE LATE LATE

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
No. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: Senate Committee on Tourism and Government Operations

From: Paul T. Tsukiyama, Director

Date: February 12, 2008, 1:15 a.m.
State Capitol, Room 229

Re: Testimony on S.B. 1773 SD1
Relating to Procurement

Thank you for the opportunity to submit testimony on S.B. 1773 SD1.

The Office of Information Practices ("OIP") opposes that portion of the bill that seeks to amend the definition sections under the public records law, chapter 92, HRS, the Uniform Information Practices Act (Modified) (the "UIPA"), and the open meetings law, part I of chapter 92, HRS (the "Sunshine Law"). OIP also offers comment on the proposed language for amendment to chapter 103 and 103D, HRS.

First, OIP strongly opposes amendment of the definitions sections of the Sunshine Law and UIPA. OIP uniformly opposes amendments that seek to insert board or agency specific or record specific provisions into these statutes purposely worded in terms of broad application. Moreover, the amendment here is both confusing and **unnecessary** to effectuate the intent of the bill to subject advisory groups making recommendations or decisions regarding purchases in excess of \$100,000 to the Sunshine Law and UIPA. Thus, if the legislature desires to make these advisory groups subject to the statutes, OIP strongly recommends that this be accomplished only through amendment to chapters 103 and 103D.

With respect to the UIPA, the bill seeks, at section 5, to amend the definition of “agency” under section 92F-3 of the UIPA to include the following:

The term “agency” includes, as appropriate, an advisory committee, advisory board, advisory commission, or similar group formed or convened by a governmental body, as defined in section 103D-104, for the purpose of making recommendations for the procurement, or making the decision to procure, goods, services, public works, or construction, in an amount in excess of \$100,000; provided that review committees established pursuant to section 103D-304 shall not be subject to this definition.

This proposed language is redundant given (1) the proposed amendments to chapters 103 and 103D; and (2) the fact that section 103D-105 already expressly makes the UIPA applicable to procurement records, reading in relevant part:

“Government records relating to procurement shall be available to the public as provided in chapter 92F.”

With respect to the Sunshine law, the bill seeks, at section 4, to amend the definition of “board” under section 92-2 of the Sunshine Law to include the following:

The term “board” also includes, as appropriate, an advisory committee, advisory board, advisory commission, or similar group formed or convened by a governmental body, as defined in section 103D-104, for the purpose of making recommendations for the procurement, or making the decision to procure, goods, services, public works, or construction, in an amount in excess of \$100,000; provided that review committees established pursuant to section 103D-304 shall not be subject to this definition.

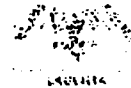
Similarly, this proposed amendment is redundant given the proposed amendments to Chapter 103 and 103D.

With respect to the proposed language to sections in chapters 103 and 103D, at sections 1 and 2 of the bill, OIP believes that the proposed amendment, as drafted, is confusing and may have an unintended consequence. First, OIP suggests

that if the intent of the initial clause is to describe Sunshine Law boards, it should simply read "A board as defined in section 92-2." The other entities named would fall within the definition of "board," but are themselves not defined in section 92-2. Second, it is unclear whether the language "formed or convened by a governmental body" is meant to expand the covered groups to include Sunshine Law boards "or an advisory committee, board, commission, or similar group" formed or convened by a governmental body. Third, the language as drafted could be read to include more informal or internal groups, such as agency staff members or interagency government employees assembled to come up with an informal recommendation.

In summary, OIP strongly objects to any amendment of the UIPA or Sunshine Law definitions sections because it is unwarranted and unnecessary to accomplish the intent of this bill. OIP also suggests that the definition of covered groups in the proposed amendment to the procurement code be more carefully worded to provide better direction as to the entities sought to be covered and to avoid any unintended consequences.

Thank you for the opportunity to testify.

LATE
LATE**COMMUNITIES IN SCHOOL OF HAWAII PROJECT**
"Where 'Ohana Is More Than A Word"

94-366 Pupupani Street, Suite 303 Waipahu, Hawai'i 96797 Phone: (808)671-4900 Fax: (808)671-4800 E-Mail: cishawaii@aol.com

Letter of Support for Olelo

Dear Legislature,

We need people like Uncle Bert, Uncle Sparky, & Aunty Zoe. For the past couple years they have been teaching our children a lot about Olelo Media Center. Like for an example: How to operate the camera, How to care for the camera when you sign out camera, & tripod, everything our children need to learn about media.

They have taught our children that if you have a concern, or you have an important message you want to share with the community, use the camera as your weapon of choice. We need a place like Olelo Media Center because this is the only place our students from Waipahu Elementary, Waipahu Intermediate, & Waipahu High School, can share or express their message using media to the community at large. The Olelo staff have welcomed our children with open arms, they have provided a very comfortable environment where the public, community & the children feel comfortable to gain ownership in the message they want to express and be proud of it.

Some of our ESL students have enjoyed coming to school because on Olelo days they can expand & express their thoughts and feeling on T.V.

I Lani M. Perkins highly support Olelo Media Center & their staff, because they've also taught not to be afraid of standing in front of the camera & relay the message to the community.

Mahalo,

Lani M. Perkins

Lani. M. Perkins

LATE

February 7, 2008

Dear Legislature,

We all need a place...a place to use media in a positive way... a place for others to give out their message through media arts. Olelo's Community Media Center IS that place. Aloha! My name is Skyler Shiroma, I am 11 years of age and I attend Waipahu Elementary School as a 6th grader. I have been working with Uncle Sparky Rodriques and the rest of the Olelo staff for about 4 years, We need the Olelo Community Media Center so the people of our community can continue to share their messages to others. I first started working with Olelo's staff when I was in the 2nd grade, till this day I'm still going to Olelo creating positive messages. Since the Olelo Community Media Center @ Leeward Community College closed I depended on the media center located @ the Waipahu Intermediate School. These are the core reasons why I need Waipahu Community Media Center to stay open. Where else will we, as a community, go to so we can share our messages? Yes, there are many places that we could go to but this specific place is very special to the community.

Aloha,


Skyler E.M Shiroma

LETTER SUPPORT FOR OLELO MEDIA CENTER**LATE****February 07, 2008****Dear State,**

'Olelo has been a good help to me because when I go to there they help me with what I need. Before I came to 'Olelo I didn't know how to use a camera but because of 'Olelo now I know how. I am able to set up the camera and the tripod. I know how to zoom in and out using the W and T button. I really like to zoom in and out when I am filming because I can see things more closely. I learned that if I am going to record something I need to push the red button on the camera. In the summer I was able to work on a project and it was titled "Cleaning around the community". At first I was scared of being in front of the camera because I didn't know what to say. As I began to work with the staff and students I learned that I can do it. I learned how to make a story board and write a script. After a lot of practice I was free because I got used to being in front of the camera. I enjoy going to 'Olelo because I learn more each day.

Mahalo Nui Loa,**Kimberly Uiagalelei****Kimberly Uiagalelei**

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

LATE

Support of SB 1789, Relating to Cable Television Systems.

Mabuhay, my name is Rodney Paguirigan. I am a sophomore at Waianae High School and an intern at Waianae Olelo Community Media Center. I am providing testimony in support of Senate Bill 1789. According to Section E of the Senate Bill No. 1789, the director can make decisions, which is exempt from the procurement selection process. Therefore, it will allow for the process to continue working the way it did before the R.F.P., which did work.

I have upheld my position as an intern of the Waianae Olelo Community Media Center since the 9th grade. I have participated in the Summer Media Enrichment Program during the summer after the 8th grade. Since then, I have seen a lot of positive changes in the program and the participants. When the participants leave at the end of the Summer Media Enrichment Program they leave as more intelligent person then when they started in the beginning of the summer. They leave with more self-confidence as well as pride in who they are, but most importantly where they come from.

The access allows the community to voice their opinions and concerns about anything. It helps the community in saying whatever it is to inform the community and have a say in something. It encourages people of the community to express what they feel. It also gives the people of the community to use professional equipment and programs on the computer, such as Apples Final Cut Pro.

If I didn't have this program I would be at home doing nothing after school. I wouldn't have any extra-curricular activities after school and I would be doing nothing. I wouldn't know much about my community as I do now. I wouldn't have learned more about myself and where I come from. This access allows for students such as myself, who are in high school to become interns and experience the process of applying and applying for a job. With this program I have learned many things that I would have never learned in my life about myself as well as my community. Please allow for this bill to take action. Olelo is an asset to me, the rest of the interns, but most important the community that will provide opportunities for others to explore the different venues.

Mahalo,

Rodney Paguirigan

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

LATE

Support of SB 1789, Relating to Cable Television Systems.

Aloha,

My name is Jeremiah Gene Wilkerson. I am a senior at Waianae High School and also an Intern at Waianae Olelo C.M.C. I am in support of Senate Bill 1789 because this bill is very important to my colleagues. Without Olelo I would be in drugs and other illegal activities such as drinking, smoking marijuana, going with my friends to the street races, chicken fighting, and hanging out with the wrong crowd. Then I join Waianae Olelo. I change a lot by stop hanging out with the wrong crowd. I stop going to chicken fights. I slowly stop drinking and stop going street races and stop smoking marijuana and such illegal activities. I now enjoy free diving riding dirt bike fishing and just spending time with family and my new friends. Since I have stop all the bad things in my life I meet a special girl that I enjoy being with. I love what I have become and I would never change my ways to go back how I was before. I would like to say a special thank you to Waianae Olelo gang for all ways being there for me and much mahalo for helping me change my ways. Without the Waianae Olelo and if I did not change. I would be in jail or not dead. Since I have change my life around .I have over come some of my fears like being afraid of the computer and speaking in public .so with that. I have to say a special thank you to Waianae Olelo.

LATE
LATE

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems

Aloha. My name is Randolph Manewa, Sr. and I am a new client to Olelo along with my wife, Candace. We have only recently begun to make use of the resources made available to us the public through Olelo, but we have already learned to appreciate so much. It is a blessing to know that our communities have access to equipment and facilities as well as training to use the equipment through a competent and trustworthy organization such as Olelo.

Since we have become clients we have learned so much about why we have the resources we do and how some of these resources actually came to be in our community. Only because the current access provider, Olelo, had the vision and consideration for the people did they think to bring community media centers out into the communities instead of just having one location and waiting for people to come to them. For a "corporation" to understand the challenges facing the 'average' citizen and make adjustments to meet those needs is an exceptional thing; for a corporation to actually make those adjustments by committing money and other resources can only be described as 'aloha'.

How can that be put to bid? How can a monetary value be placed on something so intangible yet have such an impact on lives? It cannot. Public access should not go to the best bid, but instead be given to the most responsible and qualified organization that has a reputation of integrity, responsiveness, passion, 'pono' and 'aloha'. Do the right thing and support Bill 1789, exempt PEG access and designate Olelo once again as the best qualified organization to carry forward Oahu's PEG access.

Sincerely,



Mr. Randolph Manewa

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

**LATE
LATE**

Support of SB 1789, Relating to Cable Television Systems.

Aloha my name is Kevin Oponui. I am a junior at Waianae high school and also an intern at Waianae 'Olelo CMC. I support Senate Bill 1789. During school break my family had signed me up for Waianae 'Olelo Summer Media Enrichment Program (S.M.E.P.). Through that I became a student intern at the Waianae 'Olelo CMC. I learned lots of important skills like how to go through a job interview. At Waianae 'Olelo I'm a studio intern, I help work with people from the community who wants to use the studio for their shows which is aired on one of the public access channels 'Olelo has. I get to meet lots of people in my community. The staff and other interns at the Waianae 'Olelo CMC helps me with a lot my school homework, mostly for English. I'm an excellent reader but my writing skills are just under developed. I have like a hybrid of cursive in my writing. Before I entered the Summer Media Enrichment Program I was a very quiet person, a shy guy. 'Olelo has made me more comfortable socializing around with other people. Because of the Waianae stereo-type, everyone outside of Waianae has this bad impression of the Waianae coast and its people, since I live in Waianae and have met many people in the community, I can honestly say that, that stereo-type is untrue. I have seen kids enter the S.M.E.P. and have seen the end results after the program. Everyone left with more self-confidence and with pride of who they are as an individual.

Without 'Olelo I would probably be one of those statistics about Waianae. I would get very bad grades because that wouldn't be one of my top responsibilities in school. I would only go school to cruise around with friends. Without 'Olelo after school has ended I'll have nothing to do, except watch TV all day or play video games. My activities with 'Olelo has benefited the community with media because it gives the community a voice to speak. Without 'Olelo the community wouldn't have a public access channel. I support Senate Bill 1789.

Mahalo,
Kevin Oponui

**LATE
LATE**

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

Senator Clarence K. Nishihara, Chair

Senator Donna Mercado Kim, Vice Chair

Tuesday, February 12, 2008, 1:15 PM, Rm. 229

Support of SB 1789, Relating to Cable Television Systems.

My name is Christian Nahoopii-Hose and I am providing testimony in support of Senate Bill 1789. I support this bill because it will allow the preservation of an important asset: PEG Access Television. My experience with PEG access started eight years ago when I was in the sixth grade with `Olelo Community television at their Waianae Community Media Center. Since then I have produced, filmed, and edited many programs whose subjects range from community events, community meetings, to community issues. As an example I am the certified producer of Council member Todd Apo with Westside Solutions. On this particular program Council Member Todd Apo invites guests from the different departments of The City and County of Honolulu to discuss solutions for the countless issues on the leeward side of Oahu. I use this as my example so that I can ask you this question: do you know of any other teenagers that are producing video programs that involve an elected official coming up with solutions to better their community? There aren't many out there. But through PEG access the opportunity for youths to engage themselves in self-enrichment and community enrichment is provided.

I would like to end my testimony by asking for your support of this bill in the interest of benefiting the community.

Mahalo

Christian Nahoopii-Hose

COMMITTEE ON TOURISM AND GOVERNMENT OPERATIONS

DATE: Tuesday, February 12, 2008
TIME: 1:15 P.M.
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

LATE
LATE

Dear members of the Committee On Tourism and Government Operations,

I support PEG Access being made exempt from being put out to bid or perhaps more unfortunately; put out to pasture on a well manicured lawn.

With respect to the DCCA being confirmed as the only group to decide who will be the guardian of this public resource, It could be considered very risky and and not inclusive of the vast array of alternatives out there, particularly when considering our situation. Considering also, power seems to be concentrated in the hands of soo few, in addition to some behind the structure; the people who seem to exercise and say they have the power, although not having the active power since there are many more who would carefully want to work with one another and do what seems right to do. It seems wise to spread the power through such devices, representative or similar to the directly democratic type when it comes to matters of which we are discussing now. Seemingly primary among the methods of representative or directly democratic ways of organization are freespeech and access to a public resource. For one, without a continuing expression of freespeech and access to to a resource which in part conveys information in a diverse amount of ways, all people are marginalized in the many areas of society. Secondly, without this one form of expression and source of information being seriously protected by the government, once more in an representative or directly democratic way, we would be very hard pressed.

One manner taken by which we could decide who would be the management for PEG as well as it's management in itself, might be exemplified by a board voted in by the people whose mission will be to choose the PEG Access structure as well as manage it or a direct style of democracy which would take the form of the people deciding how to manage it and it's structure directly. Both may have a firewall in between outreach facilitation and programming and the management of PEG. An working example might be taken from the board of one of the Pacifica stations perhaps in California.

Once again, by submitting it to a bidding process we could have less this one form of expression or a greatly compromised one.. It is a strategic beach access we should not give up. I would further argue without a better informed populace we will not have the pressure to make wise democratic decisions be it voter owned elections or even definitely a Con Con.

The following are fowarded copies of testimonies given to the DCCA and the SPO (working with the DCCA in this other instance with the accepting commments for the draft RFP) respectively.

The first is from my comments to DCCA relating to the proposal of applying state procurement law as a process to PEG access initially as a first step, in the form of an RFP. THE second is excerpted from testimony given to both the SPO and DCCA concerning a proposed RFP for PEG Access as put out by the SPO and DCCA.. In both I state PEG Access should not undergo the bidding process which would aggressively put a public resource out for-bid. In both I also state such responsibilities of choosing who would be a caretaker for this public resource, as I did previously above, should be placed on the shoulders of many not just one department, essentially the executive branch. Further, in the second testimony stating ideally how the board of the PEG Access should be voted in from and by the public directly. With these structures should be concrete decsriptions of what are the responsibilities of PEG Access to enable the delineations.

To OCCA Director Mark Pesterwald

At this time it is critical to have more groups which represent the public interest directly involved at O'lelo. Perhaps more strategically through Environmentalists, Community Activists as well as those who promote an informed citizenry are essential.

This proposal is about something entirely different though. It maybe like for all we know like opening up a Constitutional Convention without direct democratic support.

In this current atmosphere of widespread attacks on our rights, our foundations, in effect our wholesale realities. It would be somewhat foolish and not at all strategic to change some of those fundamental rights and constructs which support those rights at this time.

Monopolistic juggernauts as well as other misguided interests would be greatly represented even if none were on the board. With the deck stacked and the barbarians at the gate we may end up with something good on paper but, in reality will serve more the short term anarchistic interests in effect today. Akaku was assailed largely by a push from misguided developers. Our system also in its turn maybe bought out by strategically placed power brokers perhaps even those very same developers. Our public airwaves in the form of Broadcast Television and cable, is well placed here allowing many to access it as their main source of information. Community Access as part of that communication network is able to help the community when used well and in a diverse

way. You can see this on many shows on Public Access. A seemingly continually increasing number among the Public are turning to Cable Access for information. If only because of a lack of information from the Commercial Broadcasters, (other media included). T.V. Broadcasters here give about 1 minute of coverage on an issue with a strange slant to boot. In contrast Odele gives great coverage from many critical big picture angles, averaging much more in time as you well know. I get most of my information personally from Odele and use it in video tape form to express an opinion to others on. Many I know do the same, especially with the Public portion as their source.

Looking at the tools of our democracy from books to radio to T.V. to the internet, each one may have been said to have replaced the former at one time or another. (sometimes by a vested interest). What is old has been told, what is new is due. However as time goes on we find each of these still are critical tools we use to build our democracy, when the goal is an informed citizenry. To heavily emphasize and depend upon a few tools like say as provided by the internet. It would be like sending a child into the stacks of the New York City Library and expecting him to get an comprehensive education.

When you look at many of the perceived
power structures out there, some of them are
random, untested and tyrannical. We should not
let them change our structure in that way.

Thank You,
Oren Tauter

testimony at DCCA

December 8, 2006

From time to time we have to make decisions which will affect us for generations to come. It seems however these decisions come every other week....

Community Access as a hub of information across the spectrum of our societal reality, broadcasts these harried moments not to hasten the problem but to hasten the solution. It maybe the case this is so, perhaps in part because we intend to do well. As with many things we do not mean to cause a problem only a solution to a circumstance, a necessity, as it were. We're all on the same side.

These fundamentally key issues such as PEG, is, must have greater priority paid to them and seeing as we are a community more help with drafting of them. This RFP by which we will base the guidelines for Community Access Television must have more assistance from others in our society. 2 departments nor one branch of government should decide on such weighty issues. Freedom of expression is one of these, use of a public resource as varied as this one is another. It seems prudent to have as a job for what checks and balance's we have left, the pretense of democracy, albeit one without habeas corpus.

With an eye towards the solution it seems far from difficult to see the branches of government weighed low from these issues. And again, to require 2 departments in the Executive Branch to take on these questions is very obviously not in the true spirit of the law which manages this Public Resource. The SPO and the DCCA can remark on aspects but of the entirety, help should be given yes, in it's entirety. It is one which should be taken on by the people directly.

What is at stake is a grassroots diverse and wild, an unending place where possibilities live. Truly something by which through experience we could live by and create the art of the possible. Without soo careful attentiveness as we had given in the creation of our media, the public portion, we may realize a well manicured lawn is our great defender against the Barbarians at the gate.

Shoulder this great weight upon the public directly and you will find we will move not only mountains but men.

To let this document dam itself would be easy, it will fail. But every finger, every hand can help towards a positive change. So in the tradition of a PEG I'll stick my finger into what there is left. I'll leave the invisible hand to you.

Overall there should be a firewall between PEG and the government, person, persons, private interests, companies, organizations, or parts of PEG Access itself, especially if it affects content from outreach to facilitation to programming. Funding, being able to pull the contract and importantly conflict of interest clauses should have a firewall between the government PEG. This is very much so, as not to allow pressure by use of them to alter it's management as interpreted under the Federal Law and the State Law, especially if it affects content from outreach to facilitation to programming.

Hope everything goes okay,
Thanks,
Oren Tsutsumi

COOPERATIVE EXTENSION SERVICE

College of Tropical Agriculture and Human Resources
University of Hawai'i at Mānoa
United States Department of Agriculture Cooperating

February 12, 2008

LATE

Dear Senators of the Tourism and Government Operations Committee and the Commerce, Consumer Protection, and Affordable Housing Committee,

My name is Christine Hanakawa and I am the New Communities Project's (NCP) Kuhio Park Terrace Community (KPT) Site Facilitator. I have been collaborating with the Parents And Children Together (PACT) Community Teen Program at Kuhio Park Terrace for about four years. I have been providing educational resources to the youth ages 5 to 18 years old.

I have been working with 6 to 7 pre-teens and teens ranging from ages 12 to 15 years old on a project called "Health Rocks!" Within this project, the Health Rocks! Team has made a commitment to teach youth and adults in the community to reduce youth tobacco, alcohol, and illicit drug usage by using the 4-H Health Rocks! Curricula. They also wanted to focus on a technology component by creating public service announcements.

Our collaboration with `Olelo Community Television has given us the perfect opportunity to accomplish our goals for the project. It was brought up to my attention that the Senate Bill 1789 will deny our group of teens of accomplishing their project and continuing to pass on what they have learned through `Olelo's outreach services into the KPT community. I envision KPT as another media center site for the community members. It will be a place to extend `Olelo's services out into the community. Here are some of the positive influences of `Olelo's participation in our project if they were to continue:

- Teens learn about the process of a video production.
- Teens go through the learning experience of producing their own video.
- Teens have hands-on learning with equipment used in production (video taping) and post-production (editing).
- Teens have the opportunity to see and experience possible career choices in the film, video production, and television broadcasting industries.

Please do not pass Senate Bill 1789. We would like to continue to be able to collaborate `Olelo and use the wonderful services to the youth, such as production and editing classes, borrowing equipment to conduct outside video taping, using their computers to edit videos, and the wonderful support of their staff.

If you have any questions, please feel free to contact me at chanakaw@hawaii.edu or at my office at 453-6050.

Sincerely,

Christine Hanakawa
New Communities Project Community Site Facilitator

955 Kamehameha Hwy., Pearl City, Hawaii 96782-2501
Telephone: (808) 453-6050, Facsimile: (808) 453-6052, E-Mail: chanakaw@hawaii.edu, Web: www2.ctahr.hawaii.edu

An Equal Opportunity/Affirmative Action Institution

Dear Senators of the Tourism and Government Operations Committee and the Commerce, Consumer Protection and Affordable Housing Committee:

I am Solomona Pula, I am 15 years of age, currently attend Farrington High School as a sophomore and am currently working with 'Olelo on a PSA and a documentary for the health and hazards of smoking and second-hand smoking. I am associated with the 4-H KPT Teen Leadership Committee and Health Rocks at the Parents And Children Together Community Teen Program.

What this letter is really about is the recent Senate Bill 1789 that is in review. I myself, along with my fellow partners in this project, would like to ask of you to not pass this bill because we go to 'Olelo for knowledge for our project and with this complimentary knowledge we can make a Public Service Announcement from the youths point of view.

So if this bill is passed then we wouldn't have enough funds to pay for this project and 'Olelo is giving us a chance to air our point of view throughout Oahu to reach out to the youth.

Thank you,
Solomona Pula

LATE

Dear Senators of the Tourism and Government Operations Committee and the Commerce, Consumer Protection and Affordable Housing Committee:

I am Donette Miller, I'm 12 years old. The school I go is Kalakaua Middle School as a Seventh grader and I'm working with 'Olelo and I joined Heath Rocks! Project at the PACT Community Teen Program and 4-H. I'm really enjoying working with 'Olelo. I get to learn how to work the cameras.

This is a letter telling you to please not to try to pass the bill because I really love working with the cameras and the 'Olelo people. I want to do this Health Rocks! new activity and it is a new lesson to me. We will be able to create a public service announcement for promoting smoking, drugs, and alcohol awareness with the help and support of 'Olelo. The other reason is that if you pass the bill, then we won't be here and writing this letter. Please don't pass the bill and the bill is 1789. Thank you.

Thank you,
Donette Miller

LATE

Dear Senators of the Tourism and Government Operations Committee and the Commerce, Consumer Protection and Affordable Housing Committee:

Hello, my name is Kathleen Labuguen. I am 13 years old and I attend Dole Middle School. I am involved in the 4-H KPT Teen Leadership Committee and the 4-H Health Rocks! Project. My friends and I are making a PSA about being healthy, about the dangers of smoking and what it could do to your body. We are taking classes at Olelo to learn more about media like working with cameras and making videos.

I am concerned about the Senate Bill 1789 relating to cable television systems. I don't want this bill to be passed because I enjoy learning about cameras. So far, I learned the different types of shots and we have already completed our story board. I would be so thrilled to see a PSA that a group of people and I made!

If this bill passes, I will be very disappointed because from my experience, this was really fun yet very educating. My experiences with Olelo would be something I'd like to pursue for my future career such as a producer or camera person! I would really recommend other kids to be involved in making a PSA and taking classes at OLELO.

Thank you,
Kathleen Labuguen

LATE**testimony**

From: kapua medeiros [kapua_medeiros@yahoo.com]
Sent: Tuesday, February 12, 2008 2:07 PM
To: testimony; Sen. Clarence Nishihara
Subject: SB 1789

TO:

Senator Clarence K. Nishihara, Chair

Tourism and Government Operations Committee**phone 808-586-6970****fax 808-586-6879****e-mail sennishihara@Capitol.hawaii.gov**

RE: S.B.1789 relating to cable television systems, exempting Community Access Television

Aloha Senator Nishihara and committee members,

Please accept my testimony in support of S.B.1789 relating to cable television systems, exempting Community Access Television. Without Community Access Television many of our local organizations will never again be afforded the opportunity to inform the people of Hawai'i. As a Family of the Hawaiian Language Immersion community we have been afforded many years of support from 'Olelo. 'Olelo's Community Access Television plays an integral role in the success of our families here in Hawai'i. They keep us informed and educated through their many different televised talk shows, community meetings, educational programs and classes, local events, and many important current event topics. They also provide computer access as well as opportunities for t.v. production education and studio access to many of our local communities through their satellite production studios located throughout Hawai'i from Palolo to Wai'anae. 'Olelo truly knows and practices the meaning of "Building Community". Many working 'ohana members of Hawai'i, like myself, rely on 'Olelo to keep us informed of very important Community Issues such as televised legislative hearings. Research shows that Communication is the foundation for success.

I humbly ask that your committee also practice "Building Community" by supporting the passage of S.B.1789 for the betterment and future success of our island families.

Sincerely me ke aloha,

Kapua Medeiros
87-162 Pelanaki St.
Waianae, HI 96792
Ph# 808-696-2059
email: kapua_medeiros@yahoo.com

Priscilla Kubota

LATE

From: Anjj Lee [anjj@anjlee.com]
Sent: Tuesday, February 12, 2008 9:18 AM
To: Sen. Clarence Nishihara; Sen. Donna Mercado Kim; Sen. Shan Tsutsui
Subject: SB 1789 needs revision

Dear Senators,

Although the intent of SB1789 is to perpetuate the good standing of the current access organization providing its current high level of access programming, smooth running facilities and appropriate dispersion of funding (as I am a client and very happy with the quality of services and staff) , it is critical that we keep public access competitive because absolute power corrupts, absolutely. Competition will maintain the wonderful staff at Olelo and will prevent anyone who shouldn't be governing our free speech from staying there too long.

Thank you, Angela Elbern

Aloha, anjj :)

<http://www.anjlee.com> (for music)

<http://www.myspace.com/anjlee> (schedule, bio, videos or be my friend :)

<http://www.myspace.com/maxxeffexanjlee> (new hip hop-Dance Hall Reggae site)

<http://www.anjleephoto.com> (to view/purchase photos)