

JAN 23 2009

A BILL FOR AN ACT

RELATING TO CABLE TELEVISION SYSTEMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 440G, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§440G- Designation of access organizations for PEG

5 access channels. (a) The director may designate an access
6 organization to oversee the development, operation, supervision,
7 management, production, and broadcasting of programs of public,
8 educational, or governmental access facilities obtained under
9 section 440G-8; provided that the designation shall be exempt
10 from chapter 103D; and provided further that the director shall
11 establish the requirements for the designation of an access
12 organization pursuant to rules adopted under chapter 91.

13 (b) The director shall ensure that the terms and
14 conditions required of the operation of an access organization
15 designated under subsection (a) are fair to the public, taking
16 into account the geographic, topographic, and economic



1 characteristics of the service area and the economics of
2 providing cable access in the service area.

3 (c) Any decision designating, modifying, or rescinding a
4 designation of an access organization or the requirements
5 therefor shall first be submitted to the cable advisory
6 committee for advice under section 440G-13."

7 SECTION 2. Section 440G-13, Hawaii Revised Statutes, is
8 amended to read as follows:

9 **"§440G-13 Cable advisory committee.** (a) There is
10 established the cable advisory committee. The committee shall
11 consist of five members appointed by the governor as provided in
12 section 26-34.

13 The committee shall advise [~~the~~]:

14 (1) The director [~~and~~], cable operators, and access
15 organizations on matters within the jurisdiction of
16 this chapter at the request of the director [~~or~~], any
17 cable operator[~~or~~], or any access organization; and

18 (2) The director on any decision designating, modifying,
19 or rescinding a designation of an access organization
20 or the requirements therefor, as provided in section
21 440G- .



1 (b) The members of the committee shall serve without pay
2 but shall be entitled to reimbursement for necessary expenses
3 while attending meetings and while in discharge of their
4 duties."

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2009.

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INTRODUCED BY:

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Report Title:

Cable Television Systems; Access Organizations; Cable Advisory Committee; Director of Commerce and Consumer Affairs

Description:

Allows the director of commerce and consumer affairs to designate an access organization to oversee public, educational, and governmental channels on cable television.

