
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 one or more
6 access organizations to oversee the development, operation,
7 supervision, management, production, and broadcasting of
8 programs of public, educational, or governmental access
9 facilities obtained under this chapter, rules of the department,
10 or order of the director; provided that:

11 (1) The requirements to designate an access organization
12 shall be prescribed in rules adopted in accordance
13 with chapter 91;

14 (2) Notwithstanding any other provision to the contrary in
15 chapter 103D, a contract that designates an access
16 organization shall be exempt from the requirements of
17 chapter 103D; provided that any such exemption shall

1 only apply to the letting of the contract and not to
2 any specific access organization;

3 (3) The director shall enter into a contract or contracts
4 with each designated access organization and shall
5 ensure that the terms and conditions required of the
6 operation of an access organization designated under
7 subsection (a) are fair to the public, taking into
8 account the geographic, topographic, and economic
9 characteristics of the service area and the economics
10 of providing cable access in the service area;

11 (4) All property, facilities, and equipment purchased from
12 funds provided by order of the director to an access
13 organization shall automatically revert to the State
14 or its designee upon termination of the contract;

15 (5) All unspent funds provided by order of the director to
16 an access organization shall automatically revert to
17 the State or its designee upon termination of the
18 contract; and

19 (6) The contract shall not be perpetual.

20 (b) Any decision designating, modifying, or rescinding a
21 designation of an access organization or the requirements

1 therefor shall first be submitted to the cable advisory
2 committee for advice under section 440G-13."

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

5 "**§440G-13 Cable advisory committee.** (a) There is
6 established the cable advisory committee. The committee shall
7 consist of five members appointed by the governor as provided in
8 section 26-34.

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

10 (1) The director [~~and~~], cable operators, and access
11 organizations on matters within the jurisdiction of
12 this chapter at the request of the director [~~or~~], any
13 cable operator[~~or~~], or any access organization; and

14 (2) The director on any decision designating, modifying,
15 or rescinding a designation of an access organization
16 or the requirements therefor, as provided in section
17 440G- .

18 (b) The members of the committee shall serve without pay
19 but shall be entitled to reimbursement for necessary expenses
20 while attending meetings and while in discharge of their
21 duties."

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2010.

4

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 access organizations to oversee public, educational, and governmental channels on cable television. (SD1)

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