



SB1235 SD2
RELATING TO CABLE TELEVISION

House Committee on Ocean, Marine Resources, and Hawaiian Affairs

March 11, 2013

10:30 am

Conference Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB1235 SD2, which would require the Department of Commerce and Consumer Affairs (DCCA) to work with stakeholders in assessing the best method to ensure dedicated funding for a Hawaiian television channel and submit its findings and recommendations to the Legislature. These actions may open the door for allocation of cable franchise fees to support ‘ōlelo Hawai‘i revitalization efforts.

While once spoken throughout Hawai‘i by Native Hawaiians and foreigners alike, ‘ōlelo Hawai‘i was considered to be nearly extinct by the 1980s, when fewer than 50 fluent speakers under the age of 18 were left. However, great strides have been made to bring about a renaissance of the Hawaiian language through programs such as ‘Aha Pūnana Leo’s Hawaiian language immersion schools, the Department of Education’s Hawaiian language immersion program, and the Hawaiian language programs of the University of Hawai‘i system. Although there is much momentum in the revitalization of the Hawaiian language, for ‘Ōlelo Hawai‘i to thrive rather than simply survive, more people need to speak the language.

Research indicates that the use of language in major domains of society—government, education, work and media—increases the prospects for intergenerational continuity and language maintenance. Accordingly, the use of ‘ōlelo Hawai‘i within local governance and mass media plays an important role in assisting the State to fulfill its commitment to revitalization of our native language. The most pronounced example of this commitment can be found in the Hawai‘i Constitution, which recognizes ‘ōlelo Hawai‘i as one of the two official languages of the State. Moreover, the state has consistently expressed its support through legislation and administrative policies and programs.

SB1235 SD2 provides an opportunity for the State to further its commitment by requiring the DCCA to work with various stakeholders to identify the best method to ensure dedicated funding for the development of a Hawaiian television channel. The Director of the DCCA is specifically required to determine whether allocating funds from cable television franchise fees should be designated as a funding source for a Hawaiian television channel. This would be consistent with the purpose of HRS Chapter 440G, which is to provide access to the media for public, education, and government uses; and to contribute to an informed citizenry by giving voice who might not otherwise have one.

Mahalo nui for the opportunity to testify.



KAMEHAMEHA SCHOOLS®

The House of Representatives
Twenty-Seventh Legislature, 2013
State of Hawai'i

TO: Honorable Faye Hanohano, Chair
Honorable Ty Cullen, Vice Chair
Members of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

DATE: Monday, March 11, 2013

TIME: 10:30 AM

PLACE: Conference Room 325
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

FROM: Kamehameha Schools

RE: SB 1235, SD2, RELATING TO CABLE TELEVISION

Aloha Chair Hanohano, Vice Chair Cullen, and members of the Committee,

Thank you for this opportunity to testify in support of Senate Bill 1235, Senate Draft 2. SB 1235, SD2, requires the director of commerce and consumer affairs to work with various interested stakeholders and assess the best method to ensure dedicated funding for the development of a Hawaiian television channel and report to the legislature. The bill also appropriates funds to 'Oiwi TV for the production and distribution of Hawaiian language content on cable television.

Founded in 1887, Kamehameha Schools is a statewide educational system supported by a trust endowed by Princess Bernice Pauahi Bishop, whose mission is to improve the capability and well-being of Native Hawaiian children through education.

Thank you for the opportunity to testify.



NEIL ABERCROMBIE
GOVERNOR

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TO THE COMMITTEE ON
OCEAN, MARINE RESOURCES & HAWAIIAN AFFAIRS

TWENTY-SEVENTH LEGISLATURE
Regular Session of 2013

Date: Wednesday, March 11, 2013
Time: 10:30 a.m.

WRITTEN COMMENTS ON S.B. 1235, S.D. 2 - RELATING TO CABLE TELEVISION

TO THE HONORABLE FAYE P. HANOHANO, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Donn Yabusaki. I am the Acting Administrator of the Cable Television, Division of the Department of Commerce and Consumer Affairs ("Department"). The Department provides comment on this bill as amended.

The Department is willing to work with various interested stakeholders to assess methods to fund the development of a Hawaiian language television channel. The Department understands the intent of the Senate Committee on Commerce and Consumer Protection as stated in its standing committee report that this process should involve the Office of Hawaiian Affairs (OHA) as an interested stakeholder. The Department believes that OHA is the most appropriate lead in such an endeavor and is consistent with its statutory purpose. The Department is willing to work with OHA in an effort to support a Hawaiian language television channel. The Department suggests that the specific references to `Oihi TV on page 2 line 3 and page 3 line 1 of the bill be replaced with a more generic reference to a "Hawaiian television channel". This will ensure that there is sufficient latitude in the process to select the entity or entities that will fulfill this function most appropriately.

The Department would like to note that franchise fees as currently allocated do not enable the Department to fund an unbudgeted program and will have a negative impact on existing programs.

The Department is willing to work with stakeholders to advance this important effort. Thank you for the opportunity to provide written comments on this measure.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Rep. Faye Hanohano, Chair

Rep. Ty Cullen, Vice Chair

Monday, March 11, 2013

10:30 a.m.

Room 325

SUPPORT SB 1235 SD2 - CABLE TELEVISION

Aloha Chair Hanohano Vice Chair Cullen and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered on behalf of the 5,800 Hawai'i individuals living behind bars, always mindful that approximately 1,500 Hawai'i individuals are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

SB 1235 Requires the director of commerce and consumer affairs to work with various interested stakeholders and assess the best method to ensure dedicated funding for the development of a Hawaiian television channel and report to the legislature. Appropriates funds to 'Oiwī TV for the production and distribution of Hawaiian language content on cable television. Effective 7/1/2050. (SD2)

Community Alliance on Prisons supports this measure.

Hawaiian and English are the official languages of Hawai'i and we wholeheartedly support more Hawaiian language programming along with PEG access programming.

This is direct democracy in action. We hope that DCCA considers improving public access funding by requiring the full 5% from cable franchisers who pay this minimal fee to use public airwaves and public rights-of-way.

Noam Chomsky has said:

"Where there is even a pretense of democracy, communications are at its heart."

Our communities need more democracy, more Hawaiian language programming, and more direct information, unfiltered by the corporate media.

Mahalo nui for this opportunity to testify.