

STAND. COM. REP. NO. 2124

Honolulu, Hawaii

FEB 07 2014

RE: S.B. No. 2048
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2048 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to remove the sunset provision in Act 19, Session Laws of Hawaii 2011, thereby permanently allowing the Director of Commerce and Consumer Affairs to designate an access organization to oversee public, educational, and governmental channels.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Akakū: Maui Community Television, and sixteen individuals.

Your Committee finds that Act 19, Session Laws of Hawaii 2011, authorized the Director of Commerce and Consumer Affairs to designate public, educational, and governmental access organizations without going through the public procurement process and requirements. The State's efforts to safeguard the public electronic spectrum on cable has enabled the establishment of successful public, educational, and governmental access channels on cable systems in each county. This measure will permanently allow the Director to designate an access organization to oversee public, educational, and governmental channels and will also ensure that the Cable Advisory Committee continues to be able to advise the Director and access organizations on certain matters.



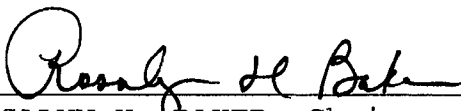
Your Committee further finds that Act 19 also requires the Department of Commerce and Consumer Affairs to conduct annual management and financial audits of designated public, educational, and governmental access organizations. Codified as section 440G-8.3(h), Hawaii Revised Statutes, this requirement is in addition to the annual independently audited financial statements that these organizations are already required to provide to the Department. Your Committee concludes that this requirement should be repealed, as it is a duplicative expense for the Department and an unnecessary use of subscribers' fees.

Your Committee has amended this measure by:

- (1) Repealing the requirement that the Department of Commerce and Consumer Affairs conduct annual management and financial audits of designated public, educational, or governmental access channels;
- (2) Updating the purpose section of this measure for clarity; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2048, S.D. 1, and be placed on the calendar for Third Reading.

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


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2048	CPN	2/4/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)				✓
NISHIHARA, Clarence K.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Clarence K. Nishihara</i></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes