

JAN 29 2015

A BILL FOR AN ACT

RELATING TO HAWAIIAN LANGUAGE TELEVISION.

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

1 SECTION 1. The legislature finds that article XV, section
2 4, of the Hawai'i State Constitution states that, "English and
3 Hawaiian shall be the official languages of Hawaii. . ." The
4 legislature further finds that the Hawaiian language movement
5 has become a leading national and international model for
6 indigenous language revitalization. Today, unlike any other
7 state in the country, there are twenty-one Hawaiian language
8 immersion public schools and eleven preschools in the State,
9 serving over two thousand students annually.

10 The legislature additionally finds that the media can have
11 a very important part in furthering the efforts to normalize the
12 Hawaiian language throughout Hawai'i. If the Hawaiian language
13 is to reach an equal status with that of the English language in
14 everyday use, the production and distribution of Hawaiian
15 language broadcast media must be adopted.

16 The legislature also finds that the department of commerce
17 and consumer affairs is authorized to assess franchise fees from



1 cable operators. The use of this franchise fee covers the
2 department's costs to administer chapter 440G, Hawaii Revised
3 Statutes, and also funds public access television, as required
4 under section 440G-8.3, Hawaii Revised Statutes. The department
5 formerly collected 4.64 per cent of a cable system's annual
6 gross revenues but now collects the maximum five per cent. The
7 legislature finds that there remains an unallocated percentage
8 of funds from the franchise fee collection.

9 Accordingly, the purpose of this Act is to require the
10 department of commerce and consumer affairs to allocate a
11 percentage of the unencumbered revenues derived from collected
12 franchise fees for the establishment of a Hawaiian language
13 television channel.

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

17 "§440G- Franchise fee; Hawaiian language television;
18 allocation. Notwithstanding any other law or rule to the
19 contrary, the department shall allocate _____ per cent of the
20 unencumbered revenues derived from collected franchise fees for
21 the establishment of a Hawaiian language television channel."



S.B. NO. 1353

1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 1353

Report Title:

Cable Television; Hawaiian Language Television; Cable Franchise Fee; Allocation; Department of Commerce and Consumer Affairs

Description:

Requires the department of commerce and consumer affairs to allocate a percentage of the unencumbered revenues derived from collected franchise fees for the establishment of a Hawaiian language television channel.

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