

JAN 22 2016

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 Hawaii 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 Hawaii. 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 to also fund operations for public access
4 television. The department formerly collected 4.64 per cent of
5 a cable system's annual gross revenues but now collects the
6 maximum five per cent. The legislature finds that there remains
7 an unallocated percentage of funds from the franchise fee
8 collection.

9 The department of commerce and consumer affairs has briefed
10 the legislature over several years that there would be a method
11 and program in place for the production and distribution of
12 Hawaiian language broadcast media. Furthermore, the department
13 has also provided a dollar amount that would be committed to
14 this program. To date, there has been no movement to procure
15 Hawaiian language broadcast media services, and the dollar
16 amount initially represented to the legislature has been cut in
17 half.

18 Accordingly, the purpose of this Act is to require the
19 department of commerce and consumer affairs to allocate all
20 unencumbered revenues derived from collected franchise fees for
21 the establishment of a Hawaiian language television channel.



1 SECTION 2. 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- Franchise fee; Hawaiian language television;
5 allocation. Notwithstanding any other law or rule to the
6 contrary, the department shall allocate all unencumbered
7 revenues derived from collected franchise fees for the
8 establishment of a Hawaiian language television channel."

9 SECTION 3. New statutory material is underscored.

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

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S.B. NO. 2584

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 all unencumbered revenues derived from collected franchise fees for the establishment of a Hawaiian language television channel.

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