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**FOR: SB1579, Relating to Access Organizations**  
**DATE: Tuesday, February 5, 2023**  
**TIME: 9:15 a.m.**  
**COMMITTEE(S): Senate Committee on Commerce and Consumer Protection**  
**ROOM: Conference Room 229**  
**FROM: Roger McKeague, President & CEO**

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Testimony in **opposition** to S.B. No. 1579

Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee:

Aloha and Mahalo for hearing my testimony regarding S.B. 1579. My name is Roger McKeague and I am the President and Chief Executive Officer for 'Olelo Community Media. I have served in this role for nearly two years. I also sit on the board of the Alliance for Community Media, the national membership organization that advocates, promotes and preserves the right to media training, production, distribution, civic engagement and education in support of diverse community voices, through Public, Educational and Government Access channels and other forms of media.

'Olelo Community Media (a 501(c)(3) Non-profit Organization) was established in 1989 as an organization for social justice to steward Public, Education, and Government (PEG) access across O'ahu and the state in cooperation with our sister PEGs. 'Olelo actively and continually promotes and provides hands-on media production training, resources, facilities, and services throughout our community, to educate and enable civic engagement through partnerships, volunteering, mentoring, and internships for students, teachers, schools, and our communities. Our long history and thousands of hours of local, educational, public interest and government programming provided by hundreds of community and student producers has enabled our community to share and receive information and develop a widely known and well-established community media access leader, resulting in over thirty (30) years of community engagement and public trust in 'Olelo's core public access training, programming, and resources.

Youth engagement in media production and training education is a foundational pillar of 'Olelo Community Media's public access purpose and mission. 'Olelo established its annual Youth Xchange Student Video Competition in 2003, and this program has grown into Hawai'i's largest

statewide student video competition. Youth Xchange continued to grow and incorporate new technology and digital media for the past twenty (20) years, celebrating the hundreds and hundreds of digital media videos created by our youth. In 2023, ‘Ōlelo will be celebrating Youth Xchange’s 20th Anniversary and in looking back, we realize that ‘Ōlelo’s programs and training are founded in equity and fairness – as we have actively and continually strived to reach all students in Hawai‘i, and been successful in steadily expanding our digital outreach and media training across the State. ‘Ōlelo has provided digital media outreach programs to the schools and digital media hubs in underserved school districts on ‘Oahu for over thirty (30) years. As a result of this education and community-based strategy, ‘Ōlelo has annually, and consistently engaged over the past five years, approximately:

- 100+ schools statewide
- 200+ teachers, both media and non-media teachers alike, statewide
- 2,000+ students statewide (cumulatively, approximately 7,500 or more students over the past five (5) years)

In addition to our youth and education programs, ‘Ōlelo is recognized as digital media and digital literacy resource and hub to the City and County of Honolulu, State of Hawai‘i Department of Education, Queen Liliuokalani Trust, Habilitat Hawai‘i, Hawai‘i Youth Challenge, and Hawai‘i Women’s Community Correctional Center, to name a few. For these organizations, ‘Ōlelo provides workforce development training and mentoring for keiki and kupuna, while teaching them how to create hyper-local stories about the communities where they live. The skills and insights they learn, enable our students and partners to engage in media production, provide access and information to the communities where they live, and in turn, create leaders and key media resources for our communities. ‘Ōlelo has been the epitome and definition of “digital equity” long before this term was in vogue or fashion.

Together with our sister PEGs, we ensure that access to government hearings, pronouncements, floor sessions, and multiple other important meetings. Our purpose and mission is to increase our community’s engagement in government to ensure an informed, educated and empowered citizenry. Towards that end, ‘Olelo continues to ramp up its government services, activities and coverage over the past 2 years including:

1. 2022 Primary Election - Candidates in Focus (Primary Election)
2. 2022 General Election - Candidates in Focus (General Election)
3. Governor’s Inauguration
4. Legislative Hearings - Live from the Legislature
5. State of the State Address

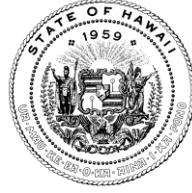
6. State of the Judiciary Address
7. Live from the Hawaii Supreme Court
8. Live from the Intermediate Court of Appeals
9. County Council meetings
10. Boards and Commissions
11. Neighborhood Boards

We continue to expand access to this valuable content so that more citizens can “attend” and participate in these processes, even when they can’t attend in person. 'Ōlelo is working towards expanding across communicative mediums (SM, streaming services, direct messaging, etc.) to provide more and effective PEG outreach. While creating opportunities, the increase in modes of communication also presents specialized challenges, such as how certain groups access various mediums, language barriers, etc. 'Ōlelo is actively working to address and capitalize on these opportunities.

'Ōlelo's agreement with the State of Hawai'i is to be a "media resource that promotes community development and lifelong learning; facilitate communication; and increase civic participation in the democratic process." In an evolving environment that is continually fragmented, 'Ōlelo not only plays a vital role in expanding on these initiatives, but also in ensuring that communication services continue to be provided to any and all groups that might otherwise be disenfranchised.

We are uncertain what triggered this bill which appears to attempt to inappropriately direct all our revenues into the general fund, defunding us and our sister PEGs. We truly hope this is not the case as we are engaged, literally, on a daily (and sometimes hourly) basis here at the Legislature and have plans to expand further to meet our community’s needs. Our work is essential to keeping our communities informed, connected, and engaged.

For these reasons, I respectfully ask that this bill be held. 'Ōlelo is ready, willing, and able to answer any questions the committee might have. Thank you for this opportunity to testify.



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**Testimony of the Department of Commerce and Consumer Affairs**

**Before the**  
**Senate Committee on Commerce and Consumer Protection**  
**Tuesday, February 7, 2023**  
**9:15 a.m.**  
**Conference Room 229 & Via Videoconference**

**On the following measure:**  
**S.B. 1579, RELATING TO ACCESS ORGANIZATIONS**

Chair Keohokalole and Members of the Committee:

My name is Jamie Sheu, and I am the Acting Cable Television Administrator for the Department of Commerce and Consumer Affairs (Department), Cable Television Division. The Department offers comments on this bill.

The purpose of this bill is to require that any revenue derived from an access organization that receives public, education, and government access funds shall be deposited into the state general fund.

The Department acknowledges that public, educational, and governmental (PEG) access programming promotes, among other things, civic participation, which allow viewers to remain informed of the issues that affect our local communities throughout the state. PEG access programming also provides information to viewers and serves as a vehicle to connect Hawaii's unique communities through the discussion and coverage of cultural matters and events.

Testimony of DCCA  
S.B. 1579

The Department has concerns that the proposed amendment to Hawaii Revised Statutes chapter 440G is too broad as it will direct any revenue derived from PEG access organizations to the general fund. As PEG access organizations are private non-profit organizations and not state agencies, it is our understanding that their revenues would not be able to be directed into the general fund.

Thank you for the opportunity to testify on this bill.

**LATE**

**SB-1579**

Submitted on: 2/6/2023 10:31:12 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mark Hymas	Testifying for Hawaii Department of Education	Oppose	Written Testimony Only

Comments:

Respectfully, I cannot support this without more information made available as to why these funds need to be put in the general fund? Also, what will the results of passing this be to the public, education and government access facilities who provide valuable services to our local communities? Will the community still be able to view government meetings, educational content and the voices of the community in the same ways and with the same support as they currently have access to via these entities?

What assurances are in place to guarantee these funds will continue to be used ONLY for providing services of televised access to government meetings, educational content and public voice, as they currently do, rather than being reallocated for another use? We need to ensure services such as: televised access to government meetings, educational content for children, and public voice are able to continue inform the citizens of Hawai'i.

Sincerely,

Mark Hymas



**FOR: SB1579, Relating to Access Organizations**

**DATE: Tuesday, February 7, 2023**

**TIME: 9:15 a.m.**

**COMMITTEE(S): Senate Committee on Commerce and Consumer Protection**

**ROOM: Conference Room 229**

**FROM: VeraLynn Kealoha-Kamaka, ʻŌlelo Community Media Volunteer Program Manager**

Aloha and Mahalo for hearing my testimony regarding S.B. 1579. My name is VeraLynn Kealoha-Kamaka and I am the Volunteer Program Manager for ʻŌlelo Community Media and have served in this role for over 4 years.

The proposed bill SB 1579 in the Hawaii Legislature seeks to take all PEG revenues and deposit the funds into the State General Fund. This measure would have a devastating effect on public access in Hawaii and should be **opposed**.

Public access is a valuable and necessary part of society, providing an essential platform for the expression of ideas and opinions that would not normally be heard or seen. It also allows for greater diversity of programming and perspectives, which is critical for a healthy and informed democracy.

Moreover, public access television gives non-corporate voices the chance to be seen and heard, which is especially important for marginalized communities who don't have the same resources as larger media outlets. Without public access, these communities would be at risk of being silenced and forgotten.

ʻŌlelo Community Media is dedicated to helping those in need and furthering the mission of workforce development. Since coming on board as the Volunteer Program Manager, we have seen an increase of over 300 volunteers and interns that have contributed over 12,000 hours of service to our cause. Along with our partnerships expanding in the DOE system and partners across the state, we are able to bring more attention to this important initiative.

However, our work and dedication to those in need is being threatened by a new bill, SB1579. This bill would block the ability of people to receive volunteer or intern positions, essentially eliminating the sense of purpose, community, and fulfillment that ʻŌlelo Community Media provides.

There is no denying that if this bill is passed, it will have a detrimental effect on 'Ōlelo Community Media and the countless individuals that our volunteer and intern programs have helped. Therefore, we are dedicated to opposing this bill and making sure that our volunteers and interns still have an opportunity to make a difference.

We urge you to join us in the fight against SB1579 and to help ensure that the work of 'Ōlelo Community Media, and their dedicated volunteers and interns, is not put in jeopardy. Together, we can make a difference.

Finally, public access serves as an important educational resource, providing numerous educational and professional development opportunities to students and low-income individuals. It's an essential component of many rural communities, and its elimination would have a devastating effect in such areas.

For all of these reasons, I passionately oppose bill SB 1579. It would have a detrimental effect on public access in Hawaii and should be strongly opposed.

VeraLynn Kealoha-Kamaka



**SB-1579**

Submitted on: 2/5/2023 7:35:24 PM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jay April	Testifying for Akaku: Maui Community Television	Oppose	Written Testimony Only

Comments:

February 7, 2023

TESTIMONY TO THE  
SENATE COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION  
IN OPPOSITION TO SB 1579

For Hearing on Tuesday February 7, 2023  
9:15 a.m. , Conference Room 229

BY

JAY APRIL  
PRESIDENT & CEO  
AKAKU MAUI COMMUNITY MEDIA

Senate Bill No. 1579  
Relating to Access Organizations

TO CHAIRPERSONS KEOHOKALOLE AND FUKUNAGA AND MEMBERS OF THE  
COMMITTEE

Everyone knows that we now live in an age where social media and dominant, centralized, corporate media have pushed out local voices creating news deserts where people have no idea what is really going on here at the Legislature, at their County Council, or down the street in their own neighborhoods.

Everyone knows that the information we get from commercial TV is fueled by crime, scandal, and sensationalism filtered through the point of view of advertisers and corporate owners. These outlets offer no civic engagement, no neighborhood news, no meaningful connection to the communities they serve. They have demonstrated over and over again that commercial media is

deficient and always will be deficient in meeting community communications needs, particularly in areas as diverse, and geographically unique as Hawaii.

In the 70's The federal government recognized that fact and required that cable companies pay "rent" in exchange for use of our public rights of way. The way they would do this was to support PEG access with up to 5% of gross revenue. The State of Hawaii set forth a framework in HRS 440G to make it so. This framework is a major reason why Hawaii PEGs have become national leaders in their field. The last thing any of us need is a bill like SB 1579 which would, if passed, disrupt this successful working paradigm.

For more than 30 years, Akaku Community Media and our sister PEGs have created an open, democratic participatory media that is collaborative, and provides a voice for our non-profits, small businesses, local and state governments, health and safety agencies, neighborhoods, native culture, and underserved minorities 24/7. Our mission is to "Empower the Community's Voice", to work together to create the greatest good for the widest span of people.

In March of 2020, in response to the pandemic, Akaku mobilized all hands on deck to produce "live" news breaks throughout the day in order to give the people of Maui Nui a reliable source for up to date health and safety information including now Governor Josh Green's famous white board announcements. This initiative has evolved into a daily hyperlocal news and information program, The Maui Daily, produced by and for the community. It has even spawned a robust training program for citizens, kupuna, and youth correspondents reporting on air using their smartphones.

Akaku provides gavel to gavel coverage of County Council, Boards & Commission meetings, and meetings like this one from the state capitol. We provide comprehensive coverage of political campaigns, local elections and current events. Our brick and mortar facilities are the place where all members of our community and their ideas are always welcome. We can proudly say that the positive media identity of an entire Hawaii Island, Molokai, has been shaped by the efforts of Akaku. All across the three islands of our County, this is how we stay connected. Should SB 1759 pass, it would take this all away.

From a policy perspective there is more to the story. I am not an attorney but it appears that SB 1759 is patently illegal on two fronts. Hawaii PEGs are not state agencies. It is doubtful that the state, under any scenario, could simply take the revenue of independent non-profits and deposit it into the general fund. With respect to franchise fees in particular, I believe that the Hawaii Supreme Court affirmed a decision by a lower court in Hawaii Insurers Council v. Lingle that these types of fees are not taxes, need to be applied in relation to the regulated industry, and cannot be deposited into the state general fund..

If you pass this bill out of committee you'll be bucking a national trend that supports cable access media. Hawaii Senators Brian Schatz and Mazie Hirono are both on record in support of the 2023 National Protecting Community Television Act which will prevent cable company encroachment upon providing its fair share of franchise fees to communities. In addition, rather than diminishing support for Community Access Media, other states realize its importance and are increasing their commitment as follows:

The State of California has put up \$25 million dollars to fund a California Local News Fellowship, a multi year program to support hyperlocal community news with a focus on serving underserved communities.

A bill, HD,215 has been introduced in the Massachusetts Legislature that would charge a fee for “Streaming Entertainment Operators” that would be distributed between the State, local municipalities and community media stations.

In New York, S2581 takes a different approach and charges an excise tax on satellite and streaming services which is sent to a community media reinvestment fund – which again is distributed to the State, local municipalities and community media operators.

In conclusion, our work and the work of our sister PEG Access stations is absolutely essential to keeping our communities and hyperlocal audiences informed, connected, and engaged in civic life. These are the hallmarks of a healthy democracy.

John Nichols, National Affairs Correspondent for The Nation in an address before the National Alliance for Community Media in 2016, characterized it this way. Community Media he said is “the only prospect we have for a democratic and functional media in this country. Old media in the country is dying” he said “and new media has no sense of direction. Local community access media is the one institution that, as the old dies and the new tries to find its way, builds a bridge to something real and connected to who we are. If we don’t have you,” he said , “It will not just be our media system that goes fully dysfunctional, it will be our democracy itself that goes fully dysfunctional You are that essential to the future of this country.”

Please defer this bill. It messes with a formula for success that has worked for more than three decades for the benefit of our people and does no one any good.

Thank you for the opportunity to testify today.

**SB-1579**

Submitted on: 2/6/2023 8:35:55 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dan OBrien	Testifying for Akaku	Oppose	Written Testimony Only

Comments:

I write today in opposition to SB1579, mainly for legal reasons. First of all, the bill appears to deviate from current law. Akaku (and its sister organizations across Hawaii) are not government agencies. Therefore it would not be legal to simply remove its mandated funding and deposit those funds into a "general" fund that is state-run.

Secondly, Akaku and its sister PEGs in Hawaii have been wisely and diligently serving the public good for 30 years with the funds generated by the cable company. Maui County is unique in that it serves not just Maui, but other remote rural communities on Molokai and Lanai. By pulling our necessary funding, you will be cutting off coverage of important issues in these small neighbor island communities. This would be an irresponsible move, given the impact that Akaku has had on the communities of Molokai and Lanai.

I urge you to oppose SB1579, not only on legal grounds, but on the fact that the communities we serve would be negatively impacted by the passage of this bill.

Sincerely,

Dan O'Brien

**LATE**

**SB-1579**

Submitted on: 2/6/2023 12:50:01 PM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Aviella Gray	Testifying for Akaku	Oppose	Written Testimony Only

Comments:

My name is Aviella Aloha Gray. I am an Akaku community producer and a financial literacy advocate. My show highlights transplants to Maui that are non traditional business operators doing something unique and creative for the islands. We discuss business concepts, cultural challenges and opportunity costs. Akaku has trained me on how to operate all the equipment in the studio, how to use video editing tools effectively and how to capture stories in the field. The education and resources made available to me are a huge benefit and a catalyst in my personal development of leadership and communication skills. I work with other eligible producers from age 12 to 80 years old to produce my show. I also volunteer my time to help others produce their passion projects in the studio and in the field thanks in no small part to Akaku and their dedicated staff members. My question is will you allow community public access to remain under the stewardship of Akaku Community Media? Please.. do not pass SB1579. My name is Aviella Aloha Gray and I approve this message!

Aloha :-)

**LATE**

February 7, 2023

**TESTIMONY TO THE  
SENATE COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION  
IN OPPOSITION TO SB 1579**

For Hearing on Tuesday February 7, 2023  
9:15 a.m. , Conference Room 229

BY

J Robertson  
Managing Director  
Ho'ike: Kaua'i Community Television

Senate Bill No. 1579  
Relating to Access Organizations

Ho'ike Kauai Community Television stands in strong opposition to SB 1759. This bill is a direct attack on the individuals and organizations that capitalize on the public, education and government access networks on our islands. The minor amounts of revenue generated by a PEG operation support and make possible non-profit communications, workforce development, community engagement and building and perhaps most importantly televised broadcasts of County and State government meetings and operations.

This destructive measure would even include the State taking a bona fide "donation" to a legitimate non-profit as State general fund revenue. A donation not made to the State but to a legitimate Community Non-Profit yet the State feels compelled to capture this act of kindness for themselves. Funds derived by a PEG operation provide valuable services to our communities. It would also eliminate many programs that are vital to the education of our communities and the subsequent collaborations.

SB1579 would mean that we are no longer entitled to receive any grants for development and engagement. Hawaii PBS is a beneficiary of PEG Franchise Fees as is the University of Hawaii – this bill would now require all donations generated during their drives to be relinquished to the general fund revenue. If this intent is to cripple public media and curtail valuable services and community building programs this would be your method. This is an assault on free speech and essential Hawaii Non-Profit community anchor institutions.

J Robertson  
Managing Director

**SB-1579**

Submitted on: 2/5/2023 9:04:43 PM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dana Fulton	Individual	Oppose	Written Testimony Only

Comments:

This bill is a predatory anti community bill that is aimed at taking away rural communities' only voice in media. There is no merit or basis to this, and may even be illegal. Let's not even open this door. Please kill this inflammatory excuse for legislation, now.

Aloha Honorable Chair Keohoklole and Madam Vice Chair Fukunaga,

My name is Paul Janes-Brown and I reside in Pukalani, Maui. I am opposed to SB 1579. Public, Educational, and Governmental (PEG) access organizations are non-profit organizations that provide an avenue to create and cablecast community access, educational, and governmental video content that is shown on the basic level service tier of cable television. There are only four such organizations in the state.

These four organizations provide a vital service to our communities. They allow for everyone on each island, who has cable TV or a computer to attend legislative and county governmental meetings, a service which no other media does as comprehensively as they. This vital avenue provides important information about legislation so citizens are included in the process and their voices can be expressed and heard. This is the bedrock of a democratic society.

Rather than taking revenue from these organizations, the state and the counties should be seeking ways to assist these organizations that perform such a vital service so efficiently and economically.

Besides covering government these organizations provide state of the art training in television production to a wide array of citizens and cover events and programs that no other media do.

Please kill this bill. It serves no useful purpose and the revenue from these four organizations would have no impact on the general fund, but would be devastating to these organizations. I implore you to not allow this bill out of your committee. Mahalo for the opportunity to present this testimony.



**SB-1579**

Submitted on: 2/6/2023 12:24:12 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sam Small	Individual	Oppose	Written Testimony Only

Comments:

Keep your Fascist hands off our community media. How dare you want to steal our PEG money to silence the public's voice!

**SB-1579**

Submitted on: 2/6/2023 7:15:15 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Georgette Stevens	Individual	Oppose	Written Testimony Only

Comments:

Aloha na Chairpersons Keohokalole and Fukunaga, and members of the committee,

I oppose SB 1579, which will kill public access to television for our communities here on O'ahu and on the neighboring islands. With all the limits on free speech that has been taking place on social media, where else does our community have a space to share their voices? on public access tv.

Request that this bill be deferred.

Mahalo,

Georgette Stevens

**SB-1579**

Submitted on: 2/6/2023 7:23:29 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tom Blackburn-Rodriguez	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose

**SB-1579**

Submitted on: 2/6/2023 7:45:44 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ashlee Klemperer Chapman	Individual	Oppose	Written Testimony Only

Comments:

To the members of the CPN committee,

I seriously ask you all to oppose the passage of this bill. To remove the funding for our public access television and radio programs across the state would be a crippling blow to our communities. As a professional in our non-profit sector I have had the great pleasure to utilize so many offerings from our local public access programs. They have provided so much opportunity to the youth I have worked with by training them in film making and producing. These programs have greatly helped our ability to educate the community on substance prevention initiatives through the development of Public Service Announcements that have been critical to the overall success of our ability to prevent and reduce underage drinking in Maui County. I implore you all to seriously consider the ramifications of this legislation. Please seriously consider the negative impacts this bill would have to such amazing and vital community education programs.

I ask you all to oppose this bill and see it move no further in the legislative process. Thank you for your service to our community and I hope you all choose to do the right thing.

Ashlee Klemperer Chapman, MSW

124 Namaau Place

Kihei, Hawaii 96753

**SB-1579**

Submitted on: 2/6/2023 7:46:47 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Heidi Allencastre	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill. AKAKU and other public media partners help to inform families across the state on different topics, issues, and family resources. Defunding and losing those stations would mean that our local families would lose that option of communication. Social media and online apps seem to be the way that many people obtain their information but there are still many families and areas across the state of Hawaii that are experiencing a digital divide either due to finances or because of their geographic location and not having access to internet services. Please oppose this bill!

**TESTIMONY TO THE  
SENATE COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION  
IN OPPOSITION TO SB 1579**

For Hearing on Tuesday February 7, 2023  
9:15 a.m., Conference Room 229

by

Ann Pitcaithley  
Private Citizen, Wailuku, HI

Senate Bill No. 1579  
Relating to Access Organizations

TO CHAIRPERSONS KEOHOKALOLE AND FUKUNAGA AND MEMBERS OF THE  
COMMITTEE

I just learned that the future of Akaku Maui Community Media and other PEG groups is under threat. For the last 31 years of living on Maui, I have relied on Akaku Community Media daily to watch the Maui Council and Committee and Boards and Commissions meetings, including meetings at the state capitol. They cover political campaigns, local elections, and current events as well as cultural events.. I watch the Maui Daily, news program, which unlike commercial corporate news focuses on issues affecting Maui County. I can watch Akaku on my TV, or phone or laptop. As a result, I have become more informed, and community engaged. I am truly grateful of this service.

Akaku Maui Community Media was founded in 1992 to serve Maui County residents television broadcast media needs. Today, Akakū's kuleana is to provide information and media resources to Maui Nui residents, non-profits, agencies, organizations, schools, and businesses in Maui County. By promoting community media, Akaku preserves, develops and enhances the diversity of thought, culture, and heritage of Maui County Akakū is a non-profit 501c3 whose mission is to empower our community's voice. They offer training, access to equipment and facilities, with both local television and online distribution outlets. They encourage civic engagement, value free speech and creative expression, which are the tenets of a functioning Democracy.

Akakū programs include free public 'Speak Out' sessions scheduled in their studio and aired on the community cable channels. They create forums for citizens to gather and learn about and gain skills from community professionals. They train community producers and civic correspondents to create stories in their own voice. They gather youth together to help them create content that matters to them and their community. Akaku helps non-profits make meaningful messages to bring awareness to important

social issues and services. Whenever there is an important event in Maui County, Akaku is on site filming it.

Please defer SB 1759. Public Access Media has proven to be a successful trend that has worked for the last 30 years. The undoing of Akaku Community as well as sister PEGS will be a great loss to the community.

Mahalo for the opportunity to provide written testimony.

Ann Pitcaithley, Wailuku, HI

**SB-1579**

Submitted on: 2/6/2023 8:22:46 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kelly King	Individual	Oppose	Written Testimony Only

Comments:

AKAKU is the most valuable community media in Maui! It is one of the best uses of taxpayer dollars - please DO NOT cut funding for our public access stations, especially in a year when we have such a huge surplus!



**SB-1579**

Submitted on: 2/6/2023 8:25:03 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John James Lester	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and committee,

I am a 6-year active military veteran and a 32 year full-time resident and homeowner in Maui County.

I am STRONGLY OPPOSED TO SB 1579.

We need our PEG to keep our local station strong. As the only canoe district, Akaku is the glue to ensure our community has a voice.

PLEASE VOTE AGAINST THIS BILL - WE NEED OUR LOCAL COMMUNITY PEG FUNDS FOR OUR LOCAL COMMUNITY ACCESS.

JOHN LESTER

KIHEI, MAUI COUNTY HAWAII

**SB-1579**

Submitted on: 2/6/2023 8:40:14 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kat Tracy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose that Public Access (PEG) funding be distributed into the State General Fund, those funds were intended to benefit the voice of the people and ensure non-commercial speech have a conduit. There is no plan or demonstrated merit in those funds being in the State General Fund, ensuring the Cable Acts intended prupose of those funds.

**TESTIMONY TO THE  
SENATE COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION  
IN OPPOSITION TO SB 1579  
Relating to Access Organizations**

**For Hearing on Tuesday February 7, 2023  
9:15 a.m. , Conference Room 229**

**Senate Bill No. 1579**

**TO CHAIRPERSONS KEOHOKALOLE AND FUKUNAGA AND MEMBERS OF THE  
COMMITTEE**

**If you pass this bill out of committee, you'll be bucking a national trend that supports cable access media. In the 70's the federal government required that cable companies pay "rent" in exchange for use of our public rights of way. The way they would do this was to support PEG access with up to 5% of gross revenue. The State of Hawaii set forth a framework in HRS 440G to make it so. This framework is a major reason why Hawaii PEGs have become national leaders in their field.**

**On the other hand, social media and dominant, centralized, corporate media have pushed out local voices. The information we get from commercial TV is fueled by crime, scandal, and sensationalism filtered through the point of view of advertisers and corporate owners.**

**For more than 30 years, Akaku Community Media and our sister PEGs have created an open, democratic participatory media that is collaborative, and provides a voice for our non-profits, small businesses, local and state governments, health and safety agencies, neighborhoods, native culture, and underserved minorities 24/7. Our mission is to "Empower the Community's Voice", to work together to create the greatest good for the widest span of people. Our facilities are the place where all members of our community and their ideas are always welcome, this is how we stay connected. Should SB 1759 pass, it would take this all away.**

**In conclusion, our work and the work of our sister PEG Access stations is absolutely essential to keeping our communities and hyperlocal audiences informed, connected, and engaged in civic life. These are the hallmarks of a healthy democracy.**

**Thank you for the opportunity to testify today.**

**Linda Dorset  
Wailuku**

**SB-1579**

Submitted on: 2/6/2023 9:17:24 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
ANDREW ISODA	Individual	Oppose	Written Testimony Only

Comments:

THIS IS WRONG

**LATE**

**SB-1579**

Submitted on: 2/6/2023 9:33:20 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephanie Austin	Individual	Oppose	Written Testimony Only

Comments:

Public access is essential for community education on important issues!

**LATE**

**SB-1579**

Submitted on: 2/6/2023 9:33:40 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barbara Best	Individual	Oppose	Written Testimony Only

Comments:

Do not disrupt procedures that are working for their communities. Public Access TV shows the community first-hand what is happening.

**LATE**

**SB-1579**

Submitted on: 2/6/2023 9:37:24 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lance Holter	Individual	Oppose	Written Testimony Only

Comments:

I am deeply troubled by this proposed bill SB1579. It's meant to defund an important part of our community awareness and participation in Democracy. The citizens ,of our Islands, use Public Access to share their depth of knowledge and impart wisdom to the community. For example, during County Council hearings AKAKU TV makes these hearings available, live, to the Citizens of Lanai, Molokai and Maui. This is how we , the people, understand what is taking place in County and State Government. This is how , we the people , can participate in decision making. This is how, we the people, give voice to Democracy.

SB1579 is a misguided attempt to steal the people's ability to make sound judgements and robs the VOTERS of their power. Remember Democracy dies in silence and you, our elected leaders, should know better than to approve a measure, like this, that contributes to silencing truth, knowledge and Democracy.

Lance Holer, Paia-Maui.



**LATE**

**SB-1579**

Submitted on: 2/6/2023 9:38:35 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noel Ching-Johnson	Individual	Oppose	Written Testimony Only

Comments:

Please Do Not Touch PEG Funding! I have been involved in Public, Education and Government Funding since Akakū: Maui Community Media was founded, and literally hundreds of people have expressed their Gratitude for the Services We Provide. To Steal our Funding, to drop into the General Fund would be nothing less then telling the people of Maui County (and the other Counties in our State ) that their Voices Don't Matter. If Anything, INCREASE FUNDING, AND MAKE SPECTRUM GIVE AKAKU THE HD SIGNAL THEY HAVE BEEN TOLD TO GIVE US! Please Protect the Hawaii PEG Channels once and for all. Please Kill SB 1579.

Mahalo Nui,

Noel (Chivo) Ching-Johnson

**LATE**

**SB-1579**

Submitted on: 2/6/2023 10:27:34 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joshua Meredith	Individual	Oppose	Written Testimony Only

Comments:

Public Access community media organizations across the State of Hawaii depend on the funds they get from state and federal government, to continue to provide an essential resource for public discourse, which strengthens our local communities. Any bill which would negatively impact the financial ability of Public Access media organizations to provide this essential service to the community, would in effect be a disservice to the people of those communities.

**LATE**

**SB-1579**

Submitted on: 2/6/2023 10:42:16 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Louis Diliberto	Individual	Oppose	Written Testimony Only

Comments:

This a a poorly written and possibly illegal grab for money by the legislature. Please kill this before it gets out of committee.

**LATE**

**SB-1579**

Submitted on: 2/6/2023 12:40:56 PM

Testimony for CPN on 2/7/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Gonzalez	Individual	Oppose	Written Testimony Only

Comments:

Aloha, and Thank you for the opportunity to testify opposing SB1579. I am a resident on the Big Island living in West Hawaii (Kona). I oppose SB1579 for it takes away my right to Free Speech in the realm of Public access Television, which is well represented here by the community it serves. Na Leo O Hawaii is a crucial and necessary venue to speak out and present all types of Public, Educational or Government information pertinent to its community Island wide. Why would we take a federally funded program for Public Access Television and divert those funds to the State General Fund? This is absurd and sounds like a political move to create more funds for Gov't instead of using it as it was intended, for the people to have access and free speech through multimedia avenues like Na Leo TV. Please take the time to read and understand the History and Structure of Public Access. In an article entitled *History and Structure of Public Access Television by Barry T. Janes*, Public Access is one of Cable television's most significant projects. With programming created by local citizens, and transmitted on cable channels dedicated for that specific purpose, television may finally discover local issues and culture. Why are we trying to take that away? Do our politicians understand what a PEG station does?

1. **Public Access**, for which a specific noncommercial channel is set aside for community use. Anyone in the community can have access to this channel on a first come, first served basis, free of charge.
2. **Educational Access**, which provides school news and information, and programs to educate and inspire our youth in seeing what the world has to offer for their future.
3. **Government Access**, which allows the local government a channel to provide coverage of council meetings, political debates, etc..

This is why the PEG Channels on each island is necessary and vital to our constitutional rights to free speech.

Please go no further with Senate Bill 1579, I oppose it, and feel the community will lose a vital asset in communication and community involvement

Richard Gonzalez



**LATE**

**SB-1579**

Submitted on: 2/6/2023 1:03:45 PM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Theresa Roberts	Individual	Oppose	Written Testimony Only

Comments:

Reference to SB1579

Any revenue derived from an access organization that receives public, education, and government access funds shall NOT be deposited into the state general fund. The money does not belong to the state and should not be given to the state to be deposited into the general fund. I am totally against SB 1579. Thank you for the opportunity to submit testimony on SB1579

Aloha,

Theresa Roberts

**SB-1579**

Submitted on: 2/6/2023 1:28:23 PM

Testimony for CPN on 2/7/2023 9:15:00 AM



Submitted By	Organization	Testifier Position	Testify
Jason schwartz	Individual	Oppose	Written Testimony Only

Comments:

SB 1579 I believe needs to be opposed because of public access to television as being important for independent media here in Hawaii. By taking funds that would be directed to them, and putting them into general funds will not guarantee the continue of an important, independent institution that is critical in our society. As one who has been involved in seeking political office and doing good in the community in general, this definite independent television organization , AKAKU, Maui, community media, needs its funds directly, so it doesn't get swallowed up and potential other emergencies on a state level, and even a possibility of limiting their funding or eliminating it is really not OK, and neutralizes the power of the people of Hawaii

eyes might go into more detail of its importance, but just on this surface reason, as stated is more than critical. Anyone who would read this, and not realize it's importance and vote against it would get my full intended campaign to unseat them in their political and voting roles.

free, independent public media access is critical to the future of our country. It is that important to vote no on this bill, unless public access is carved a specific exception to this monetary accounting decision.

aloha,

Jason Schwartz

8088745900 phone

kahului, maui, Hawaii

**SB-1579**

Submitted on: 2/6/2023 4:58:59 PM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tina Wildberger	Testifying for Kihei Community Association	Oppose	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga & Committee Members,

Kihei Community Association with long established ties to Akaku Community Television, stands in robust opposition to this misguided measure.

Whatever the motivation for this bill, it will affect with such detriment our rural communities. Our community television helps keep kupuna connected to current events. It fills a real journalism void on Maui where our only newspaper has been weakened to the point of imminent collapse.

Please support local journalism. Please defer this measure.

Mahalo.



**LATE**

**SB-1579**

Submitted on: 2/6/2023 5:36:45 PM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Don James	Individual	Oppose	Written Testimony Only

Comments:

This bill seems very vague. All funds would go to the general fund, but there is no explanation of how they would then be disbursed?

My understanding is that Non-Profit stations like Olelo, Akaku, Na Leo, etc have contracts with the state, to use the Cable fees to provide the many community services they do, such as Public Access for all citizens, Community Interest news and shows, and Public, Government and Safety information.

This seems like an unexplained grab for funds that are currently being used for good causes. Please don't do it. Thank You

February 7, 2023

**TESTIMONY TO THE  
SENATE COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION  
IN OPPOSITION TO SB 1579**



For Hearing on Tuesday February 7, 2023  
9:15 a.m. Conference Room 229

BY

KU`UIPO ROSSITER

Senate Bill No. 1579  
Relating to Access Organizations

TO CHAIRPERSONS KEOHOKALOLE AND FUKUNAGA AND MEMBERS OF THE COMMITTEE

Mahalo for the opportunity to submit testimony on SB1579. My name is Ku`uipo Rossiter. I work at 'Ōlelo Community Media, however, I am submitting this testimony on my own behalf as a community member and cable subscriber.

'Ōlelo Community Media has been an outlet for the community's voice since 1989. Many of those voices would not have had the opportunity to be heard without the benefit of 'Ōlelo's training, services, equipment, and channels. Some may assess 'Ōlelo's value through a corporate lens, seeking to use commercial metrics when determining worth. This bill defunding Public, Educational and Government (PEG) organizations is a slight to every person who has used any 'Ōlelo service or watched any channel since it treats PEG voices, aka community voices, as somehow lesser than and easily expendable. For years, 'Ōlelo and the neighbor island PEGs have had the privilege of training and then sharing via their channels the unique perspectives of our neighbors, families, students, churches, non-profits, grass roots organizations and so much more that in the end what 'Ōlelo really is, at its core, is a collection of locally sourced mana`o that keeps our community informed, connected and engaged.

'Ōlelo's channels focus on programming by, for and about O`ahu because to do so enriches our community and if left to purely corporate interests, those voices would not be heard. In this past month and every month, 'Ōlelo's channels have had programs originating from members from all over O`ahu, spoken in Hawaiian, Samoan, Tongan, Okinawan, Vietnamese, Hispanic, Chinese, Korean to name but a few, about every issue or subject you could care to name. This content was created by members from keiki to kupuna. Additionally, because it's important for the public to be informed about the workings of its government, 'Ōlelo has been a conduit for legislative and City Council proceedings, programs from members of our congressional delegation and Neighborhood Boards. 'Ōlelo also provided the production crew to cover HART, Hawaii Supreme Court, Intermediate Court of Appeals, US EPA Red Hill Public Meeting, State of the State, State of the Judiciary and much more, again, all since the beginning of the year.

Depositing PEG funds in the general fund would deprive all of O`ahu's citizens the benefits of hearing these important government proceedings and the unique, local voices that are trained and served by PEGs across the state. Please defer this bill. Thank you for your consideration.

**LATE**

**SB-1579**

Submitted on: 2/7/2023 8:54:12 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Evern Williams	Individual	Oppose	Written Testimony Only

Comments:

I am in complete opposition to redirecting PEG access funds to the state. All of our PEG access stations exist to make sure that our community has fair access to getting their own voices on the air. As an active community member and participant with video submissions, these are some of what I have personally witnessed over the years,

- 1) viewers who have given feedback about how much they have learned from the programming content they would not otherwise have
- 2) community members who have been empowered with the submission of their own programming.
- 3) government transparency with legislative broadcasts to keep the public informed
- 4) Olelo's active presence in DOE and private schools to empower teachers and students
- 5) students whose lives have been changed with video production training and experience they have gained

Hawaii has one of the strongest public access organizations in the United States. This action will negatively impact their viability and effectiveness, while shutting off the ability for our community to have fair access to our television air waves.

Please do the right thing. Protect our community rights to free speech and stop this negative action to shut off community voices.

**LATE**

**SB-1579**

Submitted on: 2/7/2023 9:46:51 AM

Testimony for CPN on 2/7/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mele Stokesberry	Testifying for Maui Peace Action	Oppose	Written Testimony Only

Comments:

I love and support Akaku community access TV and KAKU radio. Akaku provides gavel to gavel coverage of County Council, Boards & Commission meetings, comprehensive coverage of political campaigns, local elections and current events.

I have been able to get news of several of my own community organizations out to the public through Akaku's public access programs and the help they've given me in producing PSA's in the past.

PEG stations are a great source for news sources that are never covered in the mainstream media - for example, the excellent radio program Sojourner Truth, and the TV and radio broadcast of Democracy Now!, as well as for community news.

Do NOT let this bill go forward and take all this away for our communities across the state of Hawaii.