

STAND. COM. REP. NO.

826

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1578  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1578 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:

- (1) Add additional considerations for the Director of Commerce and Consumer Affairs (Director) to take into account when ensuring that the terms and conditions required for operation of an access organization are fair to the public in its designated service area; and
- (2) Require cable operators to include viewership numbers in its reports to the Director.

Your Committee received testimony in support of this measure from 'Ōlelo Community Media. Your Committee received testimony in opposition to this measure from Charter Communications. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that community media provides local, educational, public interest, and government programming by hundreds of community and student producers, allowing the community to share and receive information and increase civic



engagement. This measure requires the Director to consider placing designation requirements on public, educational, and government access organizations to enable connectivity, and to provide digital literacy education, media literacy training, and workforce development. Additionally, reporting requirements regarding viewership will help inform future policy making.

Your Committee acknowledges the concerns raised in testimony of Charter Communications, which raised concerns that this measure would require cable operators to report their competitively sensitive viewership data.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that viewership data included in a cable operator's report shall only be for channels designated for public, educational, and government access use; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

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. 1578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1578, 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,



JARRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>SB1578</b>	Committee Referral: <b>CPN</b>	Date: <b>2/21/23</b>		
<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
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				✓
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes