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Public Access at the Legislature: Equal for All?

By Lynn Nakagawa and Sara Lin | 02/09/2011

On opening day of the Hawaii Legislature last month, a long power struggle meant that the House of Representatives still hadn't picked its leader. But when it came time for a voice vote, the cameras that had been on all day were inexplicably [turned off](#).

The Hawaii public, unless they were in the room, couldn't witness the events on the floor, but staffers and legislators who were in the Capitol could see it on a closed-circuit TV network.

A local website showed [footage of the vote](#), recorded off a TV in a lawmaker's office.

The incident raised questions about why there's one standard of access for lawmakers and another standard for the public.

The internal broadcast is only available at the Capitol and goes directly into lawmakers' offices so they can keep tabs on hearings or meetings. That feed could be distributed via the web to the public, but isn't.

There have been calls for the Legislature to stream that audio and video over the Internet. It wouldn't cost much — the Senate estimates about \$50,000 for its proceedings — and would go a long way toward improving access, especially for neighbor island residents. But a lack of interest among some lawmakers and budget concerns have gotten in the way.

To complicate matters, the House and the Senate aren't coordinating their approaches to solving the issue. While the Senate is talking about streaming all of its public meetings online as early as this session, the House hasn't explored the issue yet.

"If we can make this happen, I think this would represent a giant step forward for transparency in the Legislature," said Sen. Les Ihara. "From gavel to gavel, no matter where you are in the state, or even beyond, you can see what's going on, hear what's going on."

A Closed-Circuit Broadcast for 76 Lawmakers

Now, the only way for a member of the public to watch or participate in the legislative process is to show up to the Capitol or hope the proceedings are broadcast on local public access television. But less than 10 percent of all hearings are broadcast.

"I'd definitely like to see the Legislature web-stream more of its proceedings," said Rep. Chris Lee. "It's something that's a long-time in the making — getting a live feed up for the public."

"If we can stream it for a low-cost, it's a great benefit to the public. It's what people need to see to engage them in the process," he said.

Last year, the Senate installed stationary cameras in its five conference rooms and committee clerks were trained in how to operate them.

All of the House's six conference rooms have a camera in them, too, according to Kevin Kuroda, the House Sergeant-At-Arms.

Pat Mau-Shimizu, the House clerk, said the House has made inquiries about transitioning some House proceedings online through Olelo — but this would only cover selected meetings that already appear on public access TV.

The House has not seriously looked into live streaming audio and video from its proceedings, she said.

"We would have to look at the burden on the legislative network — how it would impact the network, if our network could handle it — because live streaming draws a lot of juice and money," Mau-Shimizu said.

Senate Partnering with University of Hawaii

The Senate has already figured out how to deal with the bandwidth issue. They're planning on partnering with the University of Hawaii, which has larger servers.

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The Senate still needs to buy hardware such as converter boxes and encoders in order to get the live stream to work.

All efforts to put legislative proceedings online are paid out of the House's and Senate's own budgets.

The people who would benefit the most from a live stream from the Capitol are neighbor island residents.

"They do not have fair access," Ihara said. "They are unfairly disadvantaged when it comes to access to policy making as well as to public documents, because many of those documents are on Oahu."

Existing TV Coverage Isn't Enough

Less than 10 percent of all proceedings are broadcast.

The video that appears on public access channels is filmed by Capitol TV, which has a \$175,000 contract to tape proceedings in both the House and Senate. As House clerk, Mau-Shimizu handles all requests for taping. Suzanne Marinelli, Public Assess Coordinator, determines which meetings are recorded in the Senate.

The footage they record is also available for Public Education Government Assess channels, such as Olelo on Oahu. There are channels in Hilo, Kona, Maui, and Kauai. They are able to pick up what was recorded by Capitol TV and rebroadcast it on their channels.

However, these channels are sometimes selective about what they run from the Capitol. When the controversy over the Superferry was in high swing, many of the legislative proceedings were absent from the Maui and Kauai channels, said Mau-Shimizu. The bottom line for not expanding coverage beyond their current 350 hours is money, she said. The budget for public broadcast has not increased in 10 years.

"We would love to provide these services [to air all proceedings], but it's a budgetary issue," said Mau-Shimizu. "We don't have the capabilities for the Legislature to have its own legislative channel as Las Vegas does, for example."

DISCUSSION: *Share your thoughts about how the Hawaii Legislature in 2011 doesn't stream its proceedings on the web to allow the public greater access.*

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