

Charlotte A. Carter-Yamauchi
Acting Director

Research (808) 587-0666
Revisor (808) 587-0670
Fax (808) 587-0681



LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol
415 S. Beretania Street, Room 446
Honolulu, Hawaii 96813

Written Comments

HB1209, HD1, SD1

RELATING TO THE LEGISLATIVE BROADCAST PROGRAM

Comments by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the Senate Committee on Ways and Means

Thursday, March 28, 2013, 9:05 a.m.
Conference Room 211

Chair Ige and Members of the Committee:

Good morning Chair Ige and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Acting Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on H.B. No. 1209, H.D. 1, S.D. 1, Relating to the Legislative Broadcast Program.

The purpose of this bill is to:

- (1) Require the Legislative Broadcast Program to make an audio or audiovisual recording of all public hearings and informational briefings held at the State Capitol and maintain an archive of the recordings, to be made available to the public;
- (2) Appropriate \$3,000,000 in general funds in fiscal years 2013-2014 and 2014-2015 to be distributed equally between the House of Representatives and the Senate for the purchase of necessary recording equipment, archival materials, and the hiring of necessary staff; and
- (3) Have the Legislative Reference Bureau expend the money for the House of Representatives and the Senate.

While the Legislative Reference Bureau takes no position on this measure, we submit the following comments for your consideration.

We believe that since the measure requires that the appropriated moneys be distributed to the House of Representatives and the Senate for the purchase of necessary recording equipment, archival materials, and the hiring of necessary staff, the requirement that the Bureau be the expending agency for the expansion of the Legislative Broadcast Program is unnecessary and would only slow down the program's expansion.

As you know, the Legislative Broadcast Program was established pursuant to section 21G-3, Hawaii Revised Statutes. According to that law, while the Legislative Broadcast Program was established as part of the Legislature's permanent public access program, the supervision of the Legislative Broadcast Program was vested with the Joint Legislative Access Committee established pursuant to section 21D-6, Hawaii Revised Statutes.

Neither the Bureau nor the Public Access Room, which is maintained by the Bureau, has any statutory authority over, or responsibility for, the Legislative Broadcast Project. Rather, as a matter of historical practice, the Public Access Room simply implements the broadcast directives of the respective chambers. More specifically, according to the Legislative Broadcast Project contract, the Public Access Room Coordinator acts as the contract administrator of the Capitol TV program and is responsible for overseeing the contract, including system operations, fiscal agent operations, and monitoring and assessing contractor performance. In practice, the Public Access Room Coordinator primarily identifies and schedules certain legislative hearings to be recorded and broadcast, and reconciles the billing for services rendered by the contractor. (Historically, the House vests the identification, scheduling, recording, and broadcasting of its proceedings in the Vice Speaker's office.) The Bureau and the Public Access Room have no real control over the management of the Legislative Broadcast Program, nor do we have any experience with the negotiation of the contract for the services provided by Olelo and its contractor, Access Services Corporation, which conducts the actual recording of legislative proceedings.

The Bureau has historically received no moneys to execute the foregoing responsibilities delegated to it by the respective chambers for the Legislative Broadcast Project, and has not been involved in the "front end" formulation and negotiation of the parameters of Legislative Broadcast Program contract. Instead, it is our understanding that each house of the Legislature budgets approximately \$87,500 of its own moneys each year for the Legislative Broadcast Program and jointly contracts with Olelo and its contractor for the recording and broadcast services.

Thank you again for this opportunity to provide written comments.



Senate Ways and Means Committee
Chair David Ige, Vice Chair Michelle Kidani

Thursday 03/28/13 at 09:05AM in Room 211
HB1209 HD1 SD1– Relating to the Legislative Broadcast Program

COMMENTS

Carmille Lim, Executive Director, Common Cause Hawaii

Dear Chair Ige, Vice Chair Kidani, and members of the Senate Ways and Means Committee:

Common Cause Hawaii supports HB1209 HD1 SD1. This bill would allow for audio or audiovisual recording of all public hearings and informational briefings held at the state Capitol, and would maintain the recordings in archive, and make them available to the public.

We believe that this bill would be a good step toward including members of the public, who are otherwise unable to attend public hearings, in our policy-making discussions.

Thank you for the opportunity to offer comments in support of HB1209 HD1 SD1.



**Senate Committee on Ways & Means
Thursday, March 28, 2013 at 9:05 a.m.
Conference Room 211**

Senator David Y. Ige, Chair
Senate Committee on Ways and Means
Hawaii State Senate
Honolulu, Hawaii 96813

RE: HB 1209 HD1 SD1 - Relating to the Legislative Broadcast Program

Dear Chair Ige and members of the Senate Committee on Ways and Means:

On behalf of the Hawai'i Alliance of Nonprofit Organizations, I would like to offer our comments in **support of HB 1209 HD1 SD1**, which requires audio or audiovisual recordings of all public hearings and informational briefings held at the State Capitol, requires an archive of the recordings to be made available to the public, and appropriates funds.

Hawai'i Alliance of Nonprofit Organizations (HANO) is a statewide, sector-wide professional association for nonprofits. Our mission is to unite and strengthen the nonprofit sector as a collective force to improve the quality of life in Hawai'i. Our member organizations provide essential services to every community in the state.

As a statewide organization, HANO is challenged to get resources and information to nonprofit organizations on the neighbor islands. This bill will help make public hearings and informational briefings accessible to those who live and work on the neighbor islands as well as those on Oahu who cannot come to the State Capitol in person. We support this effort for increased transparency and information access in our government.

Thank you very much for your consideration.

Mahalo,

Lisa T. Maruyama
President and CEO