
HOUSE RESOLUTION

AMENDING RULE 19 OF THE RULES OF THE HOUSE OF REPRESENTATIVES OF
THE TWENTY-SEVENTH LEGISLATURE TO PROMOTE GREATER
TRANSPARENCY IN HOUSE ACTIVITIES.

1 WHEREAS, the House of Representatives finds that there is
2 no requirement that legislative proceedings at the State capitol
3 be recorded; and
4

5 WHEREAS, shortly after the enactment of the Uniform
6 Information Practices Act, chapter 92F, Hawaii Revised Statutes,
7 concerns were raised by both legislators and staff that chapter
8 92F could be construed to require the legislature to make,
9 maintain, and archive transcriptions of any recording of a
10 public hearing if the recording was made by staff, regardless of
11 whether it was required by policy or rule, or done so at the
12 staff's initiative; and
13

14 WHEREAS, because the costs of preparing transcriptions were
15 deemed to be prohibitive, staff were instructed never to bring a
16 tape recorder to any public hearing even if it was intended for
17 personal note-taking use; and
18

19 WHEREAS, more than twenty years have passed since the
20 enactment of the Uniform Information Practices Act, and the
21 technology used by the legislature has advanced tremendously;
22 and
23

24 WHEREAS, among other things, every legislative office in
25 the State capitol is not connected by cable to every legislative
26 conference room and is able to monitor an audio or audiovisual
27 feed of legislative proceedings; and
28

29 WHEREAS, as a result, it is a common practice for
30 legislative staff to use a television and a Digital Versatile
31 Disc recorder to record the proceedings of standing committees
32 for official use; and
33



1 WHEREAS, these recordings serve as an effective tool for
2 individual legislative offices, especially when staff must
3 monitor multiple hearings occurring simultaneously; and
4

5 WHEREAS, but there is presently no required systematic
6 recording of these proceedings or publicly accessible archiving
7 of them; and
8

9 WHEREAS, the House of Representatives also finds that the
10 contractor for the legislative broadcast program jointly
11 operated by the house of representatives and the senate pursuant
12 to section 21G-3, Hawaii Revised Statutes, produces televised
13 coverage of certain noteworthy committee hearings and floor
14 sessions; and
15

16 WHEREAS, this coverage is currently provided live to the
17 public in three of four counties on a public, educational, or
18 governmental access channel operated pursuant to chapter 440G,
19 Hawaii Revised Statutes; and
20

21 WHEREAS, pursuant to contract, the televised broadcast
22 provides both an audio and a visual signal, multiple camera
23 angles, high quality sound, and closed captioning; and
24

25 WHEREAS, the coverage produced by the legislative broadcast
26 program's contractor is also recorded, made available for
27 rebroadcast, and archived on the legislature's website; and
28

29 WHEREAS, currently, the legislative broadcast program
30 expends approximately \$175,000 per year for production of this
31 coverage, which requires set up and take down of production
32 equipment by contractor staff for each legislative proceeding;
33 and
34

35 WHEREAS, yet, the approximately three hundred fifty hours
36 of annual broadcast coverage produced by the contractor
37 represents perhaps 10 per cent to 15 per cent of the
38 approximately one thousand hearings, briefings, and floor
39 sessions conducted each year; and
40

41 WHEREAS, although all hearings, briefings, and floor
42 sessions produced by the legislative broadcast program's
43 contractor are recorded and archived to the legislature's



1 website, only a limited number of other proceedings are no
2 recorded and archived; and
3

4 WHEREAS, specifically, floor sessions not produced for
5 broadcast by the contractor are recorded by arrangement between
6 the respective body and the Oahu public, educational, or
7 government access channel operator; and
8

9 WHEREAS, the cost of recording these proceedings does not
10 include the production costs incurred by the legislative
11 broadcast program's contractor because they are taken from the
12 existing audio and video infrastructure, involve little or no
13 additional personal cost, and are not closed captioned; and
14

15 WHEREAS, potentially, recordings of committee hearings and
16 briefings not covered by the legislative broadcast program
17 contractor could be made using the audio or video feed provided
18 by the existing infrastructure in each legislative conference
19 room and then archived to the legislature's website; and
20

21 WHEREAS, the cost of recording and archiving these
22 proceedings would be considerably less than those produced by
23 the contractor because they would also be take from the existing
24 audio and video infrastructure with no additional production
25 costs, including costs attributable to the use of multiple
26 cameras, high quality audio, or closed captioning; and
27

28 WHEREAS, it is incumbent upon this House of Representatives
29 to conduct its activities in the open, and to fully utilize its
30 existing facilities and infrastructure, as well as to make every
31 effort to promote public accessibility for all of its
32 proceedings and activities; now, therefore,
33

34 BE IT RESOLVED by the House of Representatives of the
35 Twenty-Seventh Legislature of the State of Hawaii, that Rule 19
36 of the Rules of the House of Representatives of the Twenty-
37 Seventh State Legislature, 2013-2014, as approved pursuant to
38 the adoption of House Resolution No. 11, Regular Session of
39 2013, on January 28, 2013, is amended to read as follows:
40
41



1 "Rule 19. Open Committee Meetings

2
3 Every committee authorized and/or
4 established under Part III of these
5 Rules shall be a committee of the
6 House. Every meeting of a committee of
7 the House or of a committee composed of
8 a member or members from the House and
9 the Senate held for the purpose of
10 making decisions on matters referred to
11 the committee shall be open to the
12 public; provided that certain kinds of
13 meetings, including executive sessions,
14 organizational meetings, partisan
15 caucuses, and meetings the subject of
16 which involves the invasion of a
17 person's right to privacy if made
18 public, need not be open to the public.

19
20 Every meeting of a special committee,
21 interim committee, or the Advisory
22 Committee on Rules and Procedure shall
23 be noticed in the same manner as
24 applicable to a standing committee.

25
26 The House shall make an audio or
27 audiovisual recording of all of its
28 public hearings and informational
29 briefings held at the state capitol and
30 shall maintain an archive of the
31 recordings, which shall be made
32 available to the public to the extent
33 funds are made available for such
34 purposes and subject to such
35 restrictions and procedures relating
36 thereto as may be provided by law or
37 any applicable rules of the
38 legislature."

39
40 BE IT FURTHER RESOLVED, that new language is underscored;
41 and
42
43



H.R. NO. 44

1 BE IT FURTHER RESOLVED, that the Rules of the House of
2 Representatives as amended hereto are hereby adopted.
3
4
5

OFFERED BY:

GIL

Calvin M. Ay

Beth Lukens

FEB 26 2014