

A State Public Affairs Network for North Carolina: It's Time!

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UNC Center for Media Law and Policy is an interdisciplinary research center run jointly by the School of Law and School of Journalism and Mass Communication. The center serves as a forum for study and debate about a broad array of media law and policy issues facing the state, the nation, and the world.

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EXECUTIVE SUMMARY IN 10 POINTS

- 1.** North Carolina is the largest state in the nation that does not have a State Public Affairs Network, or SPAN. These video networks and websites operate in 23 states.
- 2.** North Carolina was once a leader in experiments to make state government accessible. Efforts to create a SPAN channel stretch to the 1980s, with the start of the Agency for Public Telecommunications (APT). For more than 30 years, APT produced a weekly program on state government, "OPENnet."
- 3.** North Carolina has fallen behind its peers. In 2012, Gov. Bev Perdue cut funding for APT, and its staff was laid off. That closure ended weekly broadcasts of its program "OPENnet" and scuttled the statewide network of cable operators that agreed to carry it, as a public service, at no charge.
- 4.** That change runs contrary to overwhelming public opinion. The most recent Elon University poll on this issue found that 71 percent of North Carolinians support starting a SPAN channel for our state.
- 5.** Start-up costs need not be prohibitive. When the N.C. House of Representatives studied the issue in 2008, it estimated a cost of \$1.3 million to wire that chamber and its key committee rooms. A conservative estimate for the entire General Assembly would be under \$4 million. Costs decrease annually.
- 6.** SPAN channels benefit lawmakers and their constituents: Research shows that lawmakers value the ability to get their message out – unfiltered – to constituents. It also shows that citizens value direct access to government proceedings.
- 7.** SPAN channels benefit legislative staff members: They value the ability to follow the legislative process in real time (hearings and floor debates, for example) and to stay abreast of their boss's activities.
- 8.** SPAN channels benefit journalists: In an era of economic strain, they use them to save time and money while giving readers richer coverage of state government.
- 9.** SPAN channels benefit lobbyists and citizens: They use them to stay abreast of issues of concern and to validate the effectiveness of their work.
- 10.** SPAN channels reach more than 20 million cable subscribers nationwide. Why, SPAN proponents ask, are North Carolinians still in the dark?

A RENEWED EFFORT TO LAUNCH AN N.C. PUBLIC AFFAIRS NETWORK

The **UNC Center for Media Law and Policy** last year convened an unprecedented gathering of state lawmakers, policy experts, media scholars, journalists, and media industry leaders to discuss ways to increase the amount of public affairs journalism in North Carolina.¹ Specifically, they were concerned with **the dwindling number of journalists covering the N.C. General Assembly**, whose pressroom today is nearly deserted. While it can accommodate 30, it houses only five full-time reporters.

While that meeting and a resulting report focused mostly on policy proposals at the national level and aimed at the Federal Communications Commission, one issue by far generated the most discussion and enthusiasm among attendees: **a state-level version of C-SPAN for North Carolina**. That, the consensus said, would be the most dramatic way to increase the flow of information to the public and to the journalists trying to serve them. It also would give lawmakers a way to speak directly to constituents and to bring citizens inside discussions and debates of the state's most pressing business.

North Carolina is the largest state in the nation that does not have a State Public Affairs Network, or SPAN channel. However, meeting participants were quick to point out that advocates of such a channel have worked for decades to launch one here. "I've been dealing with this since 1978," said a frustrated Mark Prak, a veteran media attorney who specializes in broadcast and cable regulation. "There was a time when North Carolina was ahead of the game and was leading the way. A state C-SPAN is an idea whose time came a long time ago."

Building on that discussion, the Center for Media Law and Policy has assembled **a SPAN channel working group** made up of Prak and other longtime advocates to explore ways to regain lost momentum and move the idea forward. The center hopes to act as a neutral convener of natural stakeholders – legislators and their staffs, journalists and press advocates, lobbyists and activists, policy experts, and business leaders – as they explore the best options for the funding and operation of **a SPAN channel in North Carolina**.

Ironically, advocates say, *not* starting such a channel 20 years ago could work to the state's advantage now. Technological advances mean the equipment required is smaller and less expensive. It means the channel can start as an Internet-only portal providing high-quality, high-definition video at no or low cost to users. It means advances in database management can make a video archive highly searchable and, therefore, more useful. It means state-of-the-art voice-recognition and face-recognition software can be used to further refine searching. Imagine a system that enables a business executive in Charlotte to track every time his state representative says "banking."

This briefing paper is a first step toward bringing current members of the General Assembly into discussion with the SPAN channel working group. The paper's goals are 1) to re-ignite interest in this issue, 2) to bring newcomers up to speed, and 3) to offer evidence that SPAN channels can and do enhance the free flow of information among lawmakers, citizens, journalists, lobbyists, activists, scholars, and business leaders.

THE GROWTH OF SPAN CHANNELS

No one can doubt the impact of C-SPAN in revolutionizing public-affairs journalism and engaging citizens in the work of the federal government.² Launched in 1979 and paid for by the cable television industry, C-SPAN's 24-hour coverage on three digital channels reaches more than 86 million households on nearly 8,000 cable systems nationwide.³ It is regularly praised for its "enduring contribution to national knowledge."⁴

Since C-SPAN began, 23 states and the District of Columbia have created public affairs channels modeled on the one in Washington. Although they vary in the amount of coverage they offer, all of these SPAN channels emphasize lightly edited or unedited live-video feeds of legislative proceedings, committee-level discussions, and programming related to state services. The Radio Television Digital News Association reported in 2004 that, after rapid growth in the 1990s, **SPAN channels reached more than 20 million cable subscribers nationwide.**⁵ These existing networks operate on four distinct funding and management models (*see* APPENDIX).

SPAN channels now are represented by an umbrella organization – the National Association of Public Affairs Networks, or NAPAN – that keeps members abreast of developments in the field, spreads information about the benefits of these channels, and encourages efforts to start new SPANs in states that do not have them. NAPAN has compiled a wealth of information on its Web site at www.napan.org.

THE STORY IN NORTH CAROLINA

During the late 1970s and 1980s, North Carolina was a national leader in experiments to make the activities of state government more accessible and transparent to citizens. During a 10-year period, the General Assembly supported several rulemakings related to open government, including a trial run of televising the general assembly (by UNC-TV) and the launch of the Agency for Public Telecommunications (APT).

As part of APT, "OPENnet," the Open Public Events Network, began operations with live, interactive programming during which citizens could call and ask questions about state programs. In the 1990s, activities slowed but did not stop. Audio of general assembly proceedings was added and streamed online. Later, audio coverage of two key committee rooms was added so that bill and policy discussions could be accessed.

However, **the last decade has seen almost a complete end to progress in electronic access to state government.** APT programming was cut to one night a week, media coverage dwindled to a handful of statehouse reporters, and by 2005, many other states far exceeded North Carolina in providing ready access to government proceedings.

In response, in 2005, citizens with a commitment to transparency in government – print and broadcast journalists, cable industry representatives, educators and librarians, advocates and activists – started the N.C. Open Government Coalition. In 2007, the

Sunshine Center, the educational arm of the group, opened at Elon University and launched several initiatives to promote the state's open government laws.

The N.C. House of Representatives last studied the possibility of creating and funding a SPAN in 2008.⁶ Led by N.C. Rep. Cullie Tarleton, a veteran broadcaster, a special committee assigned to study the issue estimated the cost of a SPAN channel at \$1.3 million for start up, including equipment, then \$600,000 a year in operating costs.⁷

Three options were studied, from lowest cost to highest: 1) Web streaming only, 2) Web streaming to start, then full broadcast, or 3) full broadcast with Web streaming as complement. Of those, the committee recommended the second option with a price tag of \$815,000 for start up and \$500,00 for annual operations. That was for the House only.⁸

An Elon University poll conducted at the time of the House's research found that 71 percent of those surveyed supported starting a SPAN channel. The Tarleton report, attached, and the study bill that came out of it – HB2647, attached – were well received and enjoyed bipartisan support. However, economic conditions created by the so-called Great Recession of 2008 effectively tabled discussion.

Worse for SPAN advocates, Gov. Bev Perdue in 2012 cut all funding for APT, and its staff was laid off. That closure has ended weekly broadcasts of "OPENnet," has ended the statewide network of cable companies that agreed to carry "OPENnet," and has ended in-kind industry support for that carriage valued at \$1 million a year.⁹ That major setback has added urgency to the question of whether North Carolina will join the 23 states already deploying SPAN channels or whether the state will fall further behind.

LESSONS FROM STATES WITH SPAN CHANNELS

The most comprehensive study to document the benefits of state SPAN channels was done in 2005-06.¹⁰ Karen Rowley, a graduate of UNC's School of Journalism and Mass Communication, devoted her doctoral dissertation research at Louisiana State University to studying 10 SPAN channels and documenting their impact on legislators, legislative staffers, journalists, lobbyists, and the public. She concluded that the same democracy-enhancing benefits attributed to C-SPAN in Washington also are true of state-level SPAN channels. **Even lawmakers who were skeptical of or even hostile toward these channels in the early days have been won over.**¹¹

For Legislators, a New Link to Constituents

Rowley's research has shown that legislators – including many who originally opposed SPAN channels in their states – have come to see the benefits. Legislators say they are more productive because they can monitor multiple meetings simultaneously, keep better track of what their colleagues are doing, and stay abreast of issues and debates in the other chamber. Legislators also say the uninterrupted and minimally edited video lets them speak more directly and more fully to their constituents. A video feed that carries

their complete remarks on the floor or in committee solves for them the frustrating problem of sound-bite journalism that might not accurately capture their views.¹²

One surprising finding in Rowley's research: While members of the minority party sometimes have voiced a fear that SPAN channel coverage might be dominated by the majority, they come to see that these channels actually help level the playing field for them. While traditional media coverage tends naturally to focus on the party that controls the governor's mansion or the reins of power in the legislature, minority members say SPAN channels help them get their voices heard and get their views on the record.¹³

For Legislative Staff, a Tool for Efficiency

For people who work in the legislature, Rowley's research has shown, **SPAN channels become an integral part of the way the institution functions.** Legislative staffers say it makes them more efficient because it allows more time working in the office and less time shuttling to and from sessions and meetings. They say that the clear audio of a video feed has advantages over attending sessions in person, where distractions and side conversations might cause them to miss something important. They say it also helps them communicate more effectively with constituents because, for example, they can take constituent phone calls at the same time sessions or meetings are being aired.¹⁴

One surprising finding of Rowley's research: Legislative staff members say that SPAN channels are an important way for them to get to know other members of their legislature, especially in states with term limits. Without the continuous coverage, they might only hear and meet legislators who are on their boss's committees or who happen to be speaking at the sessions they've attended to hear their boss. SPAN channels bring more floor speeches and debates before them than they'd ever be able to attend in person, thus allowing them to connect many more names with faces.¹⁵

For Citizens, an Entry Point for Engagement

Rowley's research has shown that SPAN channels hold more potential than traditional publications or broadcast stations for helping citizens become engaged in government and converse with their legislators. Most SPAN channels have call-in shows and Web sites that house chat boards or comments sections. Their Web sites also are places where citizens find committee lists, phone numbers, lawmaker Web sites, and e-mail addresses. In other words, **SPAN channels and their Web sites offer a convenient one-stop portal for citizens who want to get involved,** easier to navigate than most government Web sites.¹⁶

Who are the viewers? Rowley's survey research showed that, to her surprise, women outnumbered men, 52 to 48 percent. A quarter had college degrees, and most were between the ages of 45 and 64. Democrats made up 40 percent of the audience, Republicans 30 percent, and Independents 27 percent. Most viewers were employed (63 percent), and many were retired (22 percent). Many viewers (41 percent) earned less than \$30,000 a year, while just under 25 percent earned \$75,000 or more.¹⁷

For Journalists, an Essential Aid to Reporting

The press corps has been shrinking for years, and nowhere is this more obvious than in statehouses across the country. This is due generally to the economic woes wracking the traditional news industry, but it is also due to the perception among editors and managers that they must fill their publications and broadcasts with material that is more entertaining to readers. Statehouse coverage is important but sometimes boring, and thus it is one of the first things to be cut in tough times.¹⁸

Rowley's research has found that **SPAN channels have become essential tools to reporters in states that have them.** News outlets save money because they don't have to station reporters in their capital cities. Reporters save time because they don't have to devote blocks of time to physically attend legislative sessions or committee meetings. Broadcast outlets save both time and money because they don't have to devote their own camera crews to covering legislative activities. Journalists consistently report they are more efficient because they can monitor sessions on a television or computer while still making phone calls and working on more than one story at a time. And print journalists report they are reaching a broader audience by appearing on public affairs programs produced by SPAN channels. Because viewers can connect a face with a byline, reporters say, they seem more inclined to contact them to ask questions or give feedback.¹⁹

For Lobbyists and Policy Watchers, a Better Way to Stay Abreast

Some of the most avid fans of SPAN channels are lobbyists. Like legislative staffers, they told Rowley in interviews that video feeds of sessions and committee meetings have revolutionized how they work, allowing them to be more productive, more efficient, and more effective. Lobbyists say they use the channels mostly to multi-task – to follow more than one issue or meeting at a time, to better monitor multiple bills working their way through the process, to get work done even if they are at home or on the road.²⁰

One unexpected use Rowley found: **Lobbyists use SPAN networks to validate their work and improve client relations.** They use taped segments from floor sessions or committee meetings to show clients that their views are being represented, that a legislator has mentioned their industry or company, that their efforts are worth the time and expense.²¹

CONCLUSION

Many people have worked many years to make the idea of a State Public Affairs Network, or SPAN, a reality in North Carolina. Inside the General Assembly, the issue has always enjoyed bipartisan support. Research has proved the value of these networks in the 23 states that have them. Proponents in North Carolina say the time to act is now.

For more information, see the contact details on the cover of this report or simply e-mail the UNC Center for Media Law and Policy at medialaw@unc.edu.

STATES WITH SERVICES DISTRIBUTED TO THE PUBLIC

State	Name of Organization	Website	Type of Organization
Alask.	Gavel-To-Gavel Alaska, KTOO-TV	http://gavelalaska.org/	Public Broadcasting
Ariz.	Arizona Capitol TV	http://azleg.granicus.com/Mediaplayer.php?publish_id=21	State legislature
Calif.	The California Channel	www.calchannel.com	501(c)(3) Non-profit organization – funded through revenue from cable television system
Colo.	The Colorado Channel	http://www.coloradochannel.net/	Quasi- governmental, non-profit
Conn.	CT-N	http://www.ct-n.com/	
Fla.	The FLORIDA Channel	http://thefloridachannel.org/	Public Broadcasting
Ga.	Georgia Public Television	http://www.gpb.org/lawmakers	Public Broadcasting
Hawaii	Capitol TV	http://www.capitol.hawaii.gov/broadcastcasts.aspx	State Legislature
Idaho	The Idaho Channel	http://idahoptv.org/leglive/	Public Broadcasting
Ill.	Illinois Channel	http://www.illinoischannel.org/	501(c)(3) Non- profit organization
Ky.	KET	http://www.ket.org/kentuckychannel/	Public Broadcasting
La.	Louisiana Legislature	http://beta.lpb.org/index.php/LPB-LAtv/	Joint venture between Louisiana Public Broadcasting, the Louisiana Cable Telecommunications Association (LCTA), and the Louisiana Legislature
Md.			Public Broadcasting

State	Name of Organization	Website	Type of Organization
Mich.	MGTV - Michigan Govt. Television	http://www.mgtv.org/	501(c)(3) Non-profit organization – mostly funded through revenue from cable television system
Minn.	Minnesota House and Minnesota Senate	http://www.leg.state.mn.us/leg/multimedia.aspx	State Legislature
Mont.	TVMT, A Service of Helena Civic Television	http://helenacivictv.org/television-montana/	
Neb.	NET Television	http://www.netnebraska.org/basic-page/television/live-demand-state-government	Public Broadcasting
N.J.	Gavel to Gavel New Jersey	http://www.njleg.state.nj.us/	State legislature webstreams; The New Jersey Cable Telecommunications Association (NJCTA) seems to be involved in cablecasting.
N.Y.	State Government Open Meeting webcasts and Legislative coverage	http://www.nysegov.com/webcast.cfm http://assembly.state.ny.us/av/ http://www.nysenate.gov/video	State government and state legislature – the Cable Telecommunications Association of New York (CTANY) is involved.
Ohio	Ohio Channel	http://www.ohiochannel.org/	Public Broadcasting
Ore.	OPAN	No longer operating	
Penn.	PCN	http://pcntv.com/	501(c)(3) Non-profit organization – mostly funded through revenue from cable television system

State	Name of Organization	Website	Type of Organization
R.I.	Capitol Television	http://www.rilin.state.ri.us/Pages/CapitolTelevision.aspx	Legislative service, distributed by cable
S.C.	South Carolina Channel	http://www.scetv.org/index.php/statehouse/	Public Broadcasting
S.D.		http://www.sdpb.org/statehouse/	Public Broadcasting
Texas			
Wash.	TVW	http://www.tvw.org/	501(c)(3) Non-profit organization - mostly funded through grant from the state
Wisc.	Wisconsin Eye	http://www.wiseye.org/	501(c)(3) Non-profit organization - no state funding

REFERENCES

¹ The meeting was held Jan. 20, 2012, in the School of Journalism and Mass Communication at UNC-Chapel Hill. It resulted in the report *From Competition to Cooperation: Engaging Cable, Satellite, Internet and Mobile Broadband Service Providers in Meeting the Information Needs of Communities* (Dean Smith ed., 2012); available at http://jomc.unc.edu/images/fcc_symposium_report.pdf.

² STEPHEN FRANTZICH & JOHN SULLIVAN, *THE C-SPAN REVOLUTION* (1996).

³ Steven Waldman, *The Information Needs of Communities: The Changing Media landscape in a Broadband Age*, FEDERAL COMMUNICATIONS COMMISSION (2011); at 176-77.

⁴ Peter Osnos, *Washington's Longest-Running Reality Show*, THE DAILY BEAST, at <http://www.thedailybeast.com/articles/2009/03/31/washingtons-longest-running-reality-show.html>.

⁵ Mark Thalhimer et al., *A Look at Regional News Channels and State Public Affairs Networks*, Report for the Radio and Television News Directors Association, at 17, available at <http://www.napan.org/content/reports/RTNDF-Report-2004.pdf>.

⁶ House Select Committee on Television Legislative Sessions, Report to the N.C. House of Representatives (December 2008).

⁷ *Id.* at 2.

⁸ *Id.* at 9.

⁹ Rob Christensen, *OPENnet Fights to Stay on TV*, (Raleigh, N.C.) NEWS & OBSERVER, Sept. 9, 2011, available at <http://www.newsobserver.com/2011/09/12/1481117/opennet-fights-to-stay-on-tv.html>.

¹⁰ Karen M. Rowley, *Statewide Public Affairs Television: Expanding the C-SPAN Model to the State Level and Achieving Institutional Status in the Process* (2006) (dissertation on file with the author).

¹¹ *Id.* at 153-66.

¹² *Id.* at 109.

¹³ *Id.* at 110.

¹⁴ *Id.* at 108.

¹⁵ *Id.* at 109.

¹⁶ *Id.* at 115-18.

¹⁷ *Id.* at 138.

¹⁸ *Id.* at 2.

¹⁹ Karen M. Rowley & David D. Kurpius, *There's a New Gatekeeper in Town: How Statewide Public Affairs Television Creates the Potential for an Altered Media Model*, 82 JOURNALISM & MASS COMM. QUARTERLY 167 (Spring 2005), at 173-77.

²⁰ See Rowley, *supra* note 10 at 101-03.

²¹ *Id.*