STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 0 3 2017

RE: S.B. No. 655 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 655, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MEDIA ACCESS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow a duly authorized credentialed representative of any news service, newspaper, radio station, television station, or online news distribution network, under the supervision of designated emergency management personnel, to enter an area closed pursuant to the emergency management powers of the Governor and Mayors.

Your Committee received testimony in support of this measure from The Maritime Group, Hawaii 24/7, and five individuals. Your Committee received comments on this measure from the Department of Transportation, Big Island Press Club, Hawaii Emergency Management Agency, and one individual.

Your Committee finds that a free press is essential for maintaining a free and open society. The news media serves the invaluable purpose of relaying necessary and timely information to the public - a role that is enhanced in an emergency or crisis situation. However, existing state laws do not ensure media access during emergency or crisis situations. This measure updates these laws to ensure the maximum access possible for news media during emergency situations while taking into account



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emergency management recovery efforts, security and safety hazards, and liability concerns.

Your Committee has amended this measure by:

- (1) As recommended by the Hawaii Emergency Management Agency, amending language to allow media access into closed emergency areas only when the designated emergency management authority for the affected area determines that media access is reasonable and safe and does not hinder ongoing response and recovery activities;
- (2) As recommended by the Department of Transportation:
 - (A) Clarifying the logistics and parameters of the media pool; and
 - (B) Inserting language specifying that the State, counties, and any designated emergency management authority are not responsible for providing copies, equipment, telephone or internet access, or any other logistical support associated with media access to emergency areas; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 655, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 655, S.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

GILBERT S.C. KEITH-AGARAN, Chair



The Senate Twenty-Ninth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral: PSM, JDL			Date: 31117	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended X Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Ауе	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)					
RHOADS, Karl (VC)				-	/
GABBARD, Mike					1
KIM, Donna Mercado		/			
THIELEN, Laura H.		/			
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TOTAL		3	0	0	2
Recommendation:					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes