STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 02 ' 2023

RE: H.B. No. 522 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 522, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to remove the ability of the Governor or a mayor to suspend electronic media transmission during a state of emergency or local state of emergency.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; the Hawai'i Association of Broadcasters, Inc.; The Civil Beat Law Center for the Public Interest; KITV4; Hawai'i News Now: KGMB-KHNL-K5; KHON2; Society of Professional Journalists, Hawai'i Chapter; League of Women Voters of Hawai'i; All Hawai'i News; Big Island Press Club; and two individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Emergency Management Agency and one individual. Your Committee received comments on this measure from the Grassroot Institute of Hawai'i.

Your Committee finds that the constitutionality of the Governor's or a mayor's authority to suspend electronic media transmission during an emergency is highly questionable. This measure addresses the issue before any state action is taken that deprives the public and press of their First Amendment rights.

2023-2178 HB522 HD1 HSCR HMSO

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 522, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

Dans Gunes

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives The Thirty-second Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 522, HD1 Committee	ee Referral: WAL	,JHA Date	2/24/202	3
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
2. TAKAYAMA, Gregg (VC)		2. 可以是,这些的程度。 950年2月2日,但是是人们		
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3. GANADEN, Sonny				V
A HOLT Don't				
4. HOLT, Daniel				
5. HASHIMOTO, Troy N.		364. 4+	3 <u>51</u>	
6. ICHIYAMA, Linda				
7. ILAGAN, Greggor				Ť.
8. KONG, Sam Satoru				
	HAME I HAM			
9. MIZUNO, John M.				
10. SOUZA, Kanani				
TOTAL (10)	9	_		1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				