

STAND. COM. REP. NO. 1518

Honolulu, Hawaii

APR 10 2015

RE: H.B. No. 1344  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 1344, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MITIGATION OF HAZARDOUS SITUATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the news media to cover the mitigation of hazardous situations and to access areas that are closed pursuant to the emergency management powers of the Governor or a county mayor.

Additionally, this measure provides personnel and funds to the Hawaii Emergency Management Agency for the agency to implement its emergency management powers.

Your Committee received written comments on this measure from the Department of Defense, Hawaii Emergency Management Agency.

Your Committee finds that making complete and accurate information available to the public is crucial in the mitigation of hazards. However, the media's ability to gather information has been restricted by recent closure of access to hazardous areas pursuant to emergency management powers.

Furthermore, your Committee finds that the Hawaii Emergency Management Agency is restricted from using its federally funded employees to implement section 127A-18, Hawaii Revised Statutes, relating to the mitigation of hazardous situations. Accordingly,



the agency requires additional positions and personnel that are state funded to execute its responsibilities under that section of law.

Your Committee has amended this measure by:

- (1) Clarifying that journalists and newscasters may access or enter closed areas to cover the mitigation of hazardous situations;
- (2) Clarifying that the State and county exemption from liability also covers employees of the State or county;
- (3) Specifying that chapter 137, Hawaii Revised Statutes, relating to search and rescue reimbursement, applies to the costs associated with a search or rescue operation to search for or rescue a journalist or newscaster who is covering the mitigation of hazardous situation or who has entered a closed area;
- (4) Subjecting pool writers, pool photographers, and pool videographers to the provisions applicable to journalists and newscasters;
- (5) Defining "journalist" and "newscaster"; and
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1344, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1344, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



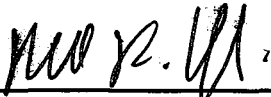
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JILL N. TOKUDA, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>HB1344, SDI</b>	Committee Referral: <b>PSM, WAM</b>	Date: <b>4/9/15</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			.
GALUTERIA, Brickwood				✓
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">  </div>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes