

Honolulu, Hawaii
March 10, 2016

RE: S.B. No. 533
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred S.B. No. 533, S.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 enable the news media to independently report on emergency situations throughout the state. Specifically, this measure:

- (1) Provides the news media, under the supervision of emergency management personnel, reasonable access to areas that are closed pursuant to emergency management powers of the Governor or Mayor;
- (2) Indemnifies the State and counties from any damage or injury to a person or property as a result of any news media entering an area closed pursuant to emergency management powers of the Governor or Mayor; and
- (3) Designates a pool writer, pool photographer, and pool videographer to gather and disseminate information when full access to the area closed pursuant to emergency management powers of the Governor or Mayor cannot be reasonably granted.

The Hawaii Chapter of the Society of Professional Journalists, Big Island Press Club, DLC Hawaii Media, All Hawaii

SB533 HD1 HSCR PBS HMS 2016-2158




News, and several concerned individuals supported this measure. The Department of Transportation, Hawaii State Fire Council, Honolulu Fire Department, Kauai Fire Department, Honolulu Police Department, Department of Emergency Management of the City and County of Honolulu, and the Civil Defense Agency of the County of Kauai opposed this measure. The Adjutant General and the Hawaii Emergency Management Agency offered comments.

Your Committee has amended this measure by:

- (1) Adding a definition of "journalist" or "news reporter";
- (2) 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 news reporter who has entered an area closed pursuant to the emergency management powers of the Governor and Mayor; and
- (3) Clarifying that the news media may be given all reasonable access and assistance in accessing an area closed pursuant to the emergency management powers of the Governor and Mayor.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 533, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 533, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



GREGG TAKAYAMA, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 1022-16

Record of Votes of the Committee on Public Safety

Bill/Resolution No.: SB 533, SD1	Committee Referral: PBS, JUD	Date: 2-18-16		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. HAR, Sharon E.				/
5. ICHIYAMA, Linda	/			
6. JOHANSON, Aaron Ling				/
7. KEOHOKALOLE, Jarrett	/			
8. NAKASHIMA, Mark M.				/
9. SAN BUENAVENTURA, Joy A.	/			
10. TAKUMI, Roy M.	/			
11. TUPOLA, Andria P.L.				/
TOTAL (11)	7	-	-	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				