

Honolulu, Hawaii

FEB 17 2017

RE: S.B. No. 655
S.D. 1

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

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 655 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 the news
media to access areas that are closed pursuant to the emergency
management powers of the Governor and Mayors.

Your Committee received testimony in support of this measure
from the Big Island Press Club, All Hawaii News, Hawaii
Association of Broadcasters, Society of Professional Journalists
Hawaii Chapter, Life of the Island, and fifteen individuals. Your
Committee received testimony in opposition to this measure from
the Honolulu Fire Department, Kaua'i Fire Department, and Kaua'i
Emergency Management Agency. Your Committee received comments on
this measure from the Hawaii Emergency Management Agency.

Your Committee finds that a freely functioning news media 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. This media role is enhanced in an
emergency or crisis situation. However, existing state laws do
not ensure robust media access during emergency or crisis
situations. Therefore, it is important to update these laws to
ensure the maximum access possible for news media during emergency
situations.



Your Committee acknowledges the concerns of the Hawaii Emergency Management Agency regarding the potential liability of the parties involved and the necessary logistics and procedures that should be in place for allowing news media into areas under emergency management control.

Accordingly, your Committee has amended this measure by:

- (1) Requiring that news media given access to areas under emergency management be credentialed and accompanied by emergency management personnel;
- (2) Limiting the liability of the State and counties and establishing liability for media personnel;
- (3) Providing that the designated emergency management authority in charge has the sole discretion in determining the access granted to media members in an affected area; and
- (4) Inserting an effective date of May 22, 2050, to encourage further discussion.

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

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,


CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 655	Committee Referral: PSM, JDL	Date: 2/14/17
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
IHARA, Jr., Les	✓			
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:

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*Only one measure per Record of Votes