

STAND. COM. REP. NO.

860

Honolulu, Hawaii

MAR 03 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



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



