

Honolulu, Hawaii

FEB 04 , 2020

RE: H.B. No. 1529  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Lower & Higher Education, to which was referred H.B. No. 1529 entitled:

"A BILL FOR AN ACT RELATING TO STUDENT JOURNALISTS,"

begs leave to report as follows:

The purpose of this measure is to establish the Hawaii Student Free Expression Act to allow student journalists at public schools to exercise freedom of speech and freedom of the press in school-sponsored media.

Your Committee received testimony in support of this measure from the Student Press Law Center, Hawaii Professional Chapter of the Society of Professional Journalists, and numerous individuals. Your Committee received comments from the Department of Education and one individual.

Your Committee finds that states may strengthen the protections guaranteed by the First Amendment of the United States Constitution through state laws and regulations. This measure will provide student journalists attending public schools in the State with additional protections needed against censorship.



Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it examine whether the following provisions are in legal conflict with the State Constitution or any federal laws:

- (1) The prohibition of prior restraint of material prepared for school-sponsored media; and
- (2) The liability of a state agency, member of the Board of Education, officer of the Department of Education, or employee of any agency or the Board in any civil or criminal action for the publication or other expression of material by student journalists in the exercise of rights under this measure.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1529, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Lower & Higher  
Education,

  
\_\_\_\_\_  
JUSTIN H. WOODSON, Chair



State of Hawaii  
House of Representatives  
The THIRTIETH Legislature

HSCR 58-20

**Record of Votes of the Committee on Lower & Higher Education**

Bill/Resolution No.: <b>HB 1529</b>	Committee Referral: <b>LHE, JUD, FIN</b>	Date: <b>1/30/2020</b>		
<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)				
LHE Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)	✓			
2. HASHEM, Mark J. (VC)	✓			
3. QUINLAN, Sean (VC)				✓
4. DeCOITE, Lynn	✓			
5. JOHANSON, Aaron Ling	✓			
6. KOBAYASHI, Dale T.	✓			
7. MORIKAWA, Dee	✓			
8. OHNO, Takashi	✓			
9. TARNAS, David A.	✓			
10. TOKIOKA, James Kunane				✓
11. OKIMOTO, Val	✓			
<b>TOTAL (11)</b>	<b>9</b>			<b>2</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: <u>Mark J. Hashem</u>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				