

STAND. COM. REP. NO. 3284

Honolulu, Hawaii

MAR 21 2022

RE: H.B. No. 1848
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Higher Education and Education, to which was referred H.B. No. 1848, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to establish freedom of speech and freedom of the press protections for student journalists producing school-sponsored media or university-sponsored media unless subject to certain exceptions.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii Publishers Association, Student Press Law Center, and six individuals. Your Committees received comments on this measure from the Department of Education.

Your Committees find that high school students involved in journalism programs learn to think critically, research topics, conduct interviews, write clearly for an audience, and work together as a team. In institutions with strong journalism programs, students also learn how a free and responsible press can improve their school communities by informing, entertaining, and influencing their audience. However, some student journalists experience difficulties in which principals or other school administrators may censor their work on the basis that it includes



inflammatory content. While stories may not be libelous in nature, students may be dissuaded from pursuing lines of inquiry for stories out of fear the publication may not be approved. To allow students to learn and engage in the field of journalism, while also providing protections under the First Amendment of the United States Constitution, this measure establishes freedom of speech and freedom of press protections for Hawaii's students in schools and universities.

Your Committees have amended this measure by:

- (1) Clarifying that no state agency, school, university, board, or employee shall be held liable for the expression of material by student journalists under the First Amendment of the United States Constitution in addition to state law; and
- (2) Making it effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Higher Education and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1848, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1848, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Higher Education
and Education,



MICHELLE N. KIDANI, Chair

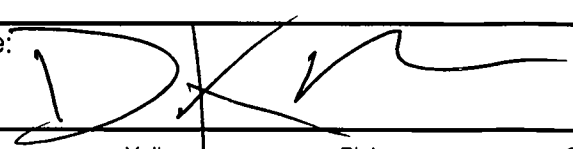


DONNA MERCADO KIM, Chair



The Senate
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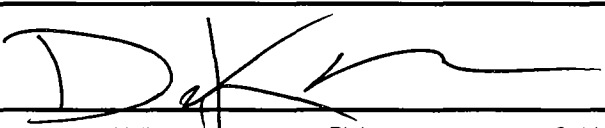
Record of Votes
Committee on Education
EDU

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1848, HD2	HRE/EDU, JDC	3/16/22		
<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		
Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)	✓			
KIM, Donna Mercado (VC)	✓			
DELA CRUZ, Donovan M.	✓			
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt	✓			
TOTAL	5			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Higher Education
HRE

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HB 1848 HD 2	HRE/EDU, JDC	3/16/22		
<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				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	✓			
KIDANI, Michelle N. (VC)	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
WAKAI, Glenn				✓
FEVELLA, Kurt	✓			DK
TOTAL	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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