

JAN 26 2022

A BILL FOR AN ACT

RELATING TO GOVERNMENT RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds it to be in the best
2 interest of the State and the public to ensure that governmental
3 records are managed in as cost- and space-effective means as
4 possible, while ensuring that the records are stored and
5 accessible for the entire period of their legal retention with
6 their destruction occurring at the expiration of their retention
7 period. Site surveys have determined that storing inactive
8 records within state office spaces allotted to agencies is
9 neither a good use of public funds nor those agencies' office
10 spaces. Governmental records are most efficiently and
11 effectively managed when they are transferred to mass storage
12 facilities once their immediate business needs have been
13 satisfied.

14 The legislature also finds that the Hawaii state archives
15 is the only agency in the State that has been legislatively
16 tasked with the duty to collect, preserve, arrange, describe,
17 and inventory records of enduring value, while also providing



1 records management consultative services to all three branches
2 of government along with cost-efficient mass storage of both
3 records of enduring value and non-permanent inactive records of
4 government. The state archives manages the public archives in
5 the Kekauluohi building as a state-of-the-art archival facility
6 with security, environmental controls, gas fire suppression, and
7 professional staff to ensure long-term preservation and access
8 to approximately fourteen thousand cubic feet of records of
9 enduring value; while also managing the state records center at
10 Mapunapuna for the cost-efficient storage and destruction of up
11 to fifty-nine thousand cubic feet of inactive non-permanent
12 records. As the state records center can store inactive non-
13 permanent records at approximately one-fifth the cost of storing
14 those same records in state office buildings, it is of greatest
15 benefit to the State to maximize the storage of inactive non-
16 permanent records at the state records center and ensure the
17 long-term preservation of records of enduring value at the
18 public archives.

19 Accordingly, the purpose of this Act is to:



1 (1) Amend existing law to empower the comptroller to
2 mandate transfer of governmental records to the state
3 archives, and

4 (2) Appropriate funds to the state archives to fund two
5 full-time equivalent (2.0 FTE) positions to assist
6 agencies in the identification and transfer of
7 governmental records of enduring value to the public
8 archives, and operating costs and equipment to
9 administer the storage of inactive non-permanent
10 records at the state records center pursuant to
11 chapter 94, Hawaii Revised Statutes.

12 SECTION 2. Section 94-3, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) Each public officer, except public officers of the
15 judiciary and the legislative branch of government, having the
16 care and custody of any government records shall submit to the
17 state comptroller a list of records for disposition
18 authorization, which shall include the name of the office,
19 department, or bureau, the description of the records for
20 disposal, the inclusive dates of the records, and the retention
21 period. The comptroller shall determine the disposition of the



1 records; stating whether the records should be retained by the
2 office, department, or bureau; be transferred to the state
3 archives, state records center, or other agency; the time period
4 at which the records shall be transferred as directed; or be
5 destroyed[-] at the expiration of their retention period. The
6 comptroller shall have full power of disposal of all records
7 submitted for this purpose. The disposition authorization of
8 all records, including lists submitted by the public officers,
9 and the action taken by the comptroller, shall be kept on proper
10 forms, specified by the comptroller, one copy of which shall be
11 filed in the office, department, or bureau where the records
12 originated, one copy shall be filed in the office of the
13 attorney general, and the original shall be filed in the state
14 archives."

15 SECTION 3. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$275,000 or so much
17 thereof as may be necessary for fiscal year 2022-2023 for the
18 operating costs and equipment necessary to administer the state
19 records center pursuant to chapter 94, Hawaii Revised Statutes;
20 provided that \$108,000 of the moneys appropriated pursuant to
21 this Act shall be used to fund the salary of two full-time



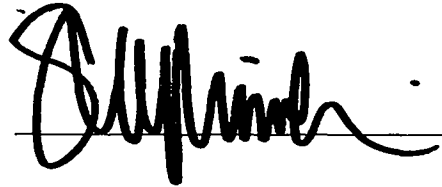
1 equivalent (2.0 FTE) positions within the state archives to
2 assist agencies in the identification and transfer of certain
3 government records to the state archives.

4 The sum appropriated shall be expended by the department of
5 accounting and general services for the purposes of this Act.

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2022.

9
INTRODUCED BY:

A handwritten signature in black ink, appearing to read 'J. P. ...', is written over a horizontal line.



S.B. NO. 3282

Report Title:

Government Records; Hawaii State Archives; State Records Center; Comptroller; Positions; Appropriation

Description:

Allows the Comptroller to direct the transfer records to the State Records Center and determine the time period after which the records shall be transferred as directed. Appropriates funds to the Department of Accounting and General Services for operating costs and equipment for the State Records Center and two full-time equivalent (2.0 FTE) positions within the Hawaii State Archives.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

