

Honolulu, Hawaii

APR 28 2022

RE: S.B. No. 3172
S.D. 1
H.D. 2
C.D. 1

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3172, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to repeal the option for boards to provide recorded minutes accompanied by written summaries as an alternative to written minutes of board meetings.

Your Committee on Conference finds that public scrutiny and participation in the governmental process is important to protect the public's interests. Your Committee on Conference further finds that requiring electronic audio or video recordings of public meetings to be kept as a public record will encourage transparency and help ensure the public has access to and information regarding these meetings.



Your Committee on Conference has amended this measure by:

- (1) Requiring boards to maintain any electronic audio or video recording of a board meeting as a public record, regardless of whether the written minutes of the board meeting have been posted;
- (2) Amending the information that must be included as part of the written minutes of board meetings;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of October 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3172, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3172, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ANGUS L.K. MCKELVEY
Co-Chair



KARL RHOADS
Chair



MARK H. NAKASHIMA
Co-Chair



**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.: SB 3172, SD 1, HD 2	Date/Time: 04-28-22 10:37am
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
LEE, Chris	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
FEVELLA, Kurt				✓	WILDBERGER, Tina	✓			
					WARD, Gene	✓			
TOTAL	2	-	-	1	TOTAL	4	-	-	-

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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