

Honolulu, Hawaii

APR 29 2022

RE: S.B. No. 3252  
S.D. 2  
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. 3252, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC RECORDS,"

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:

- (1) Impose a cap on the costs charged for the duplication of government records provided to requestors in electronic format;
- (2) Impose a cap on costs charged for searching for, reviewing, and segregating digital records;
- (3) Provide for a waiver of fees when the public interest is served by a digital records disclosure; and



- (4) Appropriate funds for positions.

Your Committee on Conference finds that public records laws provide a critical mechanism to maintain government accountability and transparency and support citizen involvement in government decision-making. Your Committee on Conference further finds that excessive fees for record requests are an obstacle to any general policy of open government and discourage the public from learning more about government operations.

Your Committee on Conference has amended this measure by:

- (1) Changing references of "digital records" to "records";
- (2) Inserting an appropriation amount of \$185,000;
- (3) Inserting an effective date of July 1, 2023, for sections 2 and 3 of this measure, and July 1, 2022, for this measure generally; and
- (4) 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. 3252, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3252, S.D. 2, 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



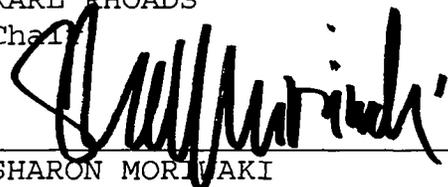
ANGUS L.K. MCKELVEY  
Co-Chair



KARL RHOADS  
Chair



TINA WILDBERGER  
Co-Chair



SHARON MORIWAKI  
Co-Chair



Hawai'i State Legislature

002115-72

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 3252, SD 2, HD 2</b>	Date/Time: <b>04-28-22 10:38am</b>
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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.	✓			
MORIWAKI, Sharon Y., Co-Chr.	✓				WILDBERGER, Tina, Co-Chr.	✓			
LEE, Chris	✓				COSTALES, Luella	✓			
FEVELLA, Kurt				✓	WARD, Gene		✓		
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>TOTAL</b>	<b>3</b>	<b>1</b>	<b>-</b>	<b>-</b>

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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**Distribution:**                      **Original**                      **Yellow**                      **Pink**                      **Goldenrod**  
    File with Conference Committee Report                      House Clerk's Office                      Senate Clerk's Office                      Drafting Agency