
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. Records must be stored and accessible for the entire
5 period of their legal retention schedule and destroyed at the
6 expiration of their retention period. Site surveys have
7 determined that storing inactive records within the office
8 spaces allotted to state agencies is neither a good use of
9 public funds nor the agencies' office spaces. Governmental
10 records are most efficiently and effectively managed when they
11 are transferred to mass storage facilities once their immediate
12 business needs have been satisfied.

13 The legislature further finds that the state archives is
14 the only agency in the State that has been legislatively tasked
15 with the duty to collect, preserve, arrange, describe, and
16 inventory records of enduring value. The state archives also
17 provides records management consultative services to all three



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

18 Accordingly, the purpose of this Act is to:

19 (1) Amend existing law to empower the comptroller to
20 mandate the transfer of governmental records to the
21 state records center; and



1 (2) Appropriate funds to the state archives to fund
 2 positions to assist agencies in the identification and
 3 transfer of governmental records of enduring value to
 4 the public archives, and operating costs and equipment
 5 to administer the storage of inactive non-permanent
 6 records at the state records center.

7 SECTION 2. Section 94-3, Hawaii Revised Statutes, is
 8 amended to read as follows:

9 "**§94-3 Disposal of government records generally.** (a)
 10 Each public officer, except public officers of the judiciary and
 11 the legislative branch of government, having the care and
 12 custody of any government records shall submit to the state
 13 comptroller a list of records for disposition authorization,
 14 which shall include the name of the office, department, or
 15 bureau, the description of the records for disposal, the
 16 inclusive dates of the records, and the retention period.

17 (b) The comptroller shall determine the disposition of the
 18 records [~~stating~~] and shall state whether the records should be
 19 [~~retained~~]:

20 (1) Retained by the office, department, or bureau; [~~be~~
 21 transferred]



1 (2) Transferred to the state archives, state records
2 center, or other agency[+], and the time period at
3 which the records shall be transferred as directed; or
4 [~~be destroyed.~~]

5 (3) Destroyed at the expiration of their retention period.

6 (c) The comptroller shall have full power of disposal of
7 all records submitted for this purpose. The disposition
8 authorization of all records, including lists submitted by the
9 public officers, and the action taken by the comptroller, shall
10 be kept on proper forms, specified by the comptroller, one copy
11 of which shall be filed in the office, department, or bureau
12 where the records originated, one copy shall be filed in the
13 office of the attorney general, and the original shall be filed
14 in the state archives.

15 [~~(b)~~] (d) If requested, the comptroller shall provide
16 assistance to the legislative branch of government or any agency
17 or entity therein in establishing policies relating to the
18 disposal of government records."

19 SECTION 3. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2022-2023 for

1 the operating costs and equipment necessary to administer the
2 state records center pursuant to chapter 94, Hawaii Revised
3 Statutes; provided that \$ of the moneys appropriated
4 pursuant to this Act shall be used to fund the salary of
5 full-time equivalent (FTE) positions
6 within the state archives to assist agencies in the
7 identification and transfer of certain government records to the
8 state archives.

9 The sum appropriated shall be expended by the office of
10 enterprise technology services for the purposes of this Act.

11 SECTION 4. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2112.



S.B. NO. 3282
S.D. 1
H.D. 1

Report Title:

Government Records; Office of Enterprise Technology Services;
Hawaii State Archives; State Records Center; Comptroller;
Appropriations

Description:

Allows the comptroller to direct the transfer of records to the state records center and determine the time period at which the records should be transferred. Appropriates funds to the office of enterprise technology services for operating costs and equipment for the state records center and for positions within the state archives. Effective 7/1/2112. (HD1)

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