

STAND. COM. REP. NO.

396

Honolulu, Hawaii

FEB 14 , 2023

RE: H.B. No. 719  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 719 entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide more equitable access to government records by:

- (1) Imposing a cap on charges for the reproduction of certain government records;
- (2) Waiving the cost of duplication of government records provided to requestors in an electronic format;
- (3) Imposing a cap on charges for searching for, reviewing, and segregating records;
- (4) Providing for a waiver of fees when the public interest is served by a record's disclosure; and
- (5) Appropriating funds for permanent, full-time positions within the Office of Information Practices.

Your Committee received testimony in support of this measure from the Commission to Improve Standards of Conduct, Civil Beat

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Law Center for the Public Interest, Animal Rights Hawai'i, League of Women Voters of Hawaii, Society of Professional Journalists Hawaii Chapter, Hawaii Bulletin, Albatross News, and eight individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and Department of Design and Construction of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Human Services, Department of Accounting and General Services, Office of Information Practices, Employees' Retirement System, and Grassroot Institute of Hawaii.

Your Committee finds that this measure implements one of the recommendations made by the Commission to Improve Standards of Conduct established by the House of Representatives in House Resolution No. 9, Regular Session of 2022. This measure bolsters government accountability and transparency by providing greater access to government records.

Your Committee has amended this measure by:

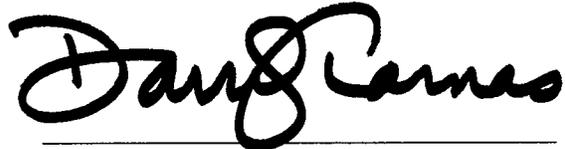
- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider an appropriation amount of \$185,000 per fiscal year.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 719, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 719, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



State of Hawaii  
House of Representatives  
The Thirty-second Legislature

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**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

| <b>Bill/Resolution No.:</b><br><span style="font-size: 1.2em;">HB 719</span>   | <b>Committee Referral:</b><br><span style="font-size: 1.2em;">JHA, FIN</span> | <b>Date:</b><br><span style="font-size: 1.2em;">02/08/2023</span> |      |         |
|--|---|---|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure.  |   |   |      |         |
| <b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold<br><input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) |   |   |      |         |
| JHA Members  | Ayes  | Ayes (WR)   | Nays | Excused |
| 1. TARNAS, David A. (C)  | ✓   |   |      |         |
| 2. TAKAYAMA, Gregg (VC)  | ✓   |   |      |         |
| 3. GANADEN, Sonny  | ✓   |   |      |         |
| 4. HOLT, Daniel  |   | ✓   |      |         |
| 5. HASHIMOTO, Troy N.  |   | ✓   |      |         |
| 6. ICHIYAMA, Linda   | ✓   |   |      |         |
| 7. ILAGAN, Greggor   |   | ✓   |      |         |
| 8. KONG, Sam Satoru  |   |   | ✓    |         |
| 9. MIZUNO, John M.   | ✓   |   |      |         |
| 10. SOUZA, Kanani  | ✓   |   |      |         |
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| <b>TOTAL (10)</b>  | 6   | 3   | 1    | —       |
| <b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted<br>If joint referral, _____ did not support recommendation.<br><span style="margin-left: 150px;">committee acronym(s)</span>  |   |   |      |         |
| <b>Vice Chair's or designee's signature:</b>   |   |   |      |         |
| <b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO  |   |   |      |         |