

STAND. COM. REP. NO. 1277 -12

Honolulu, Hawaii

March 23 2012

RE: S.B. No. 2233
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2233, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC INFORMATION,"

begs leave to report as follows:

The purpose of this measure is to allow government agencies to give required notices by electronic or online publication on the centralized website of the State or the website of the affected county, as applicable and to provide proof of publication by certain designated representatives.

In addition, the measure appropriates funds to the Department of Accounting and General Services and the Department of Education to help with costs associated with electronic notices for the public.

The Office of Information Practices, the Office of Information Management and Technology, the Judiciary, the Hawaii State Public Library System, the Department of Planning and Permitting of the City and County of Honolulu, and Americans for Democratic Action/Hawaii testified in support of this measure. The Maui News, the Hawaii Tribune Herald, West Hawaii Today, the Honolulu Star-Advertiser, AARP, and one concerned citizen testified in opposition to this measure. The Disability and Communication Access Board and one concerned citizen provided comments.

SB2233 HD1 HSCR JUD HMS 2012-3106



Your Committee has amended this measure by:

- (1) Changing the language in the purpose section to clarify that the State will establish a centralized website;
- (2) Allowing an individual with a disability, as that term is defined in section 368-1.5(b), Hawaii Revised Statutes, to file a complaint with the Hawaii Civil Rights Commission if a notice or a website is not accessible to that individual due to an error by the State;
- (3) Amending the features of the centralized website of the State to be administered by the Office of Information Management and Technology by:
 - (A) Requiring that notices that are electronically posted must be time-stamped and protected so as to prevent alteration after filing;
 - (B) Requiring a ten-year searchable archive;
 - (C) Requiring that an active posting of a notice be available for a period of three months; and
 - (D) Requiring that the procedures for the electronic or online publication notice be standardized to ensure the integrity of the filed notice; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2233, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2233, S.D. 2, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



GILBERT KEITH-ASARAN, Chair



