

West Hawaii Today

75-5580 Kuakini Highway, Kailua-Kona, HI 96740 Phone (808) 329-9311, Fax (808) 329-3659
www.westhawaii.com

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I am writing to express our disapproval of HB2456 that would allow legal notices to be published electronically on state or county government websites.

The clear intention of publishing legal notices in an adjudicated publication that reaches the majority of residents in a community is to ensure the information is presented to as many of those citizens as possible. This is accomplished with the publication of those notices in the dominant information source that is the local newspaper. Notification of legal and government actions is paramount to government transparency and accountability. When this information is not made easily available to the public in an independent and prominent manner, government actions have the potential to move forward without the critical check and balance system required for an open society.

Online postings will deprive citizens of a permanent record of the notice as electronic listings are subject to deletion or revisions. The printed notice is protected and offers a reliable history with a clear date attached. The newspaper is also accessible to all citizens while government websites require an online connection and computer. Many citizens do not have the equipment or skills to access the internet. For those readers who prefer to get information online, the legal notices are provided on the newspaper's website expanding the total number of citizens reached. The important difference, however, is that the notice is provided in a variety of formats reaching many more people who are reading for a variety of reasons. This offers the best potential for the notices to be read by the majority of our citizens while the government website would severely limit this potential.

Newspapers are the primary source for news in a community and citizens rely on them to provide this credible information. They are delivered every day to millions of homes. The required government notices are presented to readers who pay to receive information in a format that is "pushed" to them rather than having to hunt online through a complex government site.

It is critical at this time to reduce government costs but citizens' rights should never be sacrificed for these reductions. Awareness of government processes and actions is of utmost importance and must be protected and the current system of independent and widespread publication of these processes and actions is essential. For this reason and those listed above, we strongly oppose HB2456.

Respectfully submitted,

Tracey Fosso
Publisher
West Hawaii Today



OAHU
PUBLICATIONS

TO: Marcus R. Oshiro, Chair, House Committee on Finance
Marilyn B. Lee, Vice Chair, House Committee on Finance

FROM: Ron Nagasawa, Publisher & Senior Vice President
MidWeek

RE: TESTIMONY IN OPPOSITION TO HB2456

Aloha Chair Oshiro and Vice-Chair Lee:

As the publisher of MidWeek newspaper and as vice president of the Hawaii Publisher's Association (HPA), I respectfully oppose HB2456. I have been with MidWeek since its inception 28 years ago in 1984. I have also been involved in the public/legal notices processes in that time, beginning from when MidWeek was awarded the contract to provide such notices for the state of Hawaii.

I was involved 12 years ago when it was determined that MidWeek did not have the frequency needed to provide adequate notice in spite of having the highest circulation in the state and with a supplemental notice we provided to the neighbor islands. We were asked to set aside the contract and subsequently the Honolulu Star-Bulletin was awarded the contract under the RFP process.

That process was modified to include the neighbor island daily newspapers in order to have the notices reach the greatest number of Hawaii residents with the optimum number of days to satisfy frequency.

And I was also here when the Star-Bulletin could no longer be sustained and the Honolulu Star-Advertiser came into being, providing a much greater circulation and readership for Oahu and therefore reach for these notices.

In these 28 years I can attest that the state has always done what was best to achieve the purpose of these notices, which was to reach and inform the most people possible in the state of Hawaii. It was always to do what was best for all our people and not what was best for the interest of state government. The intent of this bill before us seems to be eliminating the expense to the state of placing these notices in newspapers.

It does not address the needs of our senior population as AARP has testified nor those of the disabled as pointed out by advocate for that group, Mr. Peter Fritz.

HPA looked at this and questioned if this was such a great idea, why all 50 states were not doing it including those states like California that are in dire financial condition. We could only find evidence that only Alaska and Utah recently attempted to have all notices go online.

My research found that Alaska still places notices in the newspapers in spite of that legislation and that in Utah the legislation was literally reversed to include newspapers as the primary source of posting with an aggregate web site containing free postings as added value.

The Utah situation was an example where government and the private sector worked together to provide services in the best interest of the public. At its best, this is what government is supposed to do, and not further its own agenda.

This is why I respectfully oppose HB2456.