

STAND. COM. REP. NO.

2657

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2111

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 2111 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to allow government agencies to publish public notices on an official website as an alternative to a newspaper.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, Department of Health, Department of Budget and Finance, University of Hawai'i System, Department of Human Services, Hawaii State Energy Office, Department of Land and Natural Resources, Hawai'i Tourism Authority, Department of Transportation, Department of Planning and Permitting of the City and County of Honolulu, Department of Design and Construction of the City and County of Honolulu, and National Federation of the Blind of Hawaii. Your Committee received testimony in opposition to this measure from the Star Advertiser and one individual. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that electronic posting can be a more effective, expedient, and economical method of publishing public notices. This is particularly true for routine but time-sensitive situations, such as postings of clean water environmental hazard



advisories or postings regarding disaster-related response and recovery activities. Your Committee further finds that it is in the public interest to encourage within government the adoption of modern technologies and business practices that expand public engagement. Your Committee recognizes, however, that certain public notices shall remain subject to stricter statutory posting requirements where circumstances so demand.

Accordingly, your Committee finds that this measure will promote transparency in government operations, increase administrative efficiency, and modernize governmental operations by allowing government agencies to publish public notices electronically under certain circumstances. In effecting this modernization, your Committee urges all government agencies to consider the access needs of individuals with disabilities and not only meet, but exceed, legal obligations regarding those individuals.

Your Committee notes the testimony of the Department of Health, suggesting certain amendments to address the needs of individuals with limited broadband access or technological experience.

Accordingly, your Committee has amended this measure by:

- (1) Amending section 1-28.5(a)(3), Hawaii Revised Statutes, to:
 - (A) Require the evaluation and documentation of the rationale for posting online-only notices for individuals with limited broadband access or technological experience; and
 - (B) Provide online-only notices accessible to individuals with visual impairments through screen reader accessible format; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of



S.B. No. 2111, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2111, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Government
Operations,



SHARON MORIAKI, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

| | | |
|-------------------------|---------------------|----------|
| Bill / Resolution No.:* | Committee Referral: | Date: |
| SB 2111 | GVO, JDC | 02/15/22 |


The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

| Members | Aye | Aye (WR) | Nay | Excused |
|----------------------------|-----|----------|-----|---------|
| MORIWAKI, Sharon Y. (C) | / | | | |
| DELA CRUZ, Donovan M. (VC) | / | | | |
| CHANG, Stanley | / | | | |
| GABBARD, Mike | / | | | |
| FEVELLA, Kurt | | | | / |
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| TOTAL | 4 | | | 1 |

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes