

**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB1435  
RELATING TO PUBLIC NOTICES.**

REP. MARK NAKASHIMA, CHAIR  
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Hearing Date: February 1, 2022

Room Number: Videoconference

1 **Fiscal Implications:** Operational cost savings in the tens of thousands of dollars for individual  
2 programs within executive agencies.

3 **Department Testimony:** The Department of Health (DOH) strongly supports this measure  
4 which improves government efficiency without compromising public engagement and  
5 transparency. This is accomplished by authorizing executive agencies the option to publish  
6 certain public notices on its official web site in lieu of in printed newspapers. HB1435 is  
7 intended for routine public notices such as those required by the certain federal agencies. For  
8 example, the US Environmental Protection Agency requires certain Clean Water Act permit  
9 information to be published as public notice for which internet publication is acceptable, but  
10 state law requires print publication and thus the stricter state statute prevails.

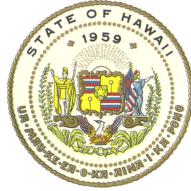
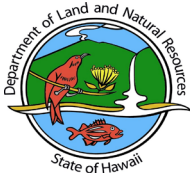
11 Public notices of substance or great public interest, such as those for public hearings for Hawaii  
12 Administrative Rules, Sunshine Law notices, or contested case hearings are governed by more  
13 specific statutes that require newspaper and internet posting, so HB1435 would not apply.

14 As an example of the cost savings this measure will provide, public notices for National  
15 Pollutant Discharge Elimination System permits cost applicants about \$100,000 annually; public  
16 notices for the Wastewater Branch variance program cost applicants about \$100,000 annually;  
17 public notices for Underground Injection Control permits cost applicants about \$5000 annually;  
18 and public notices for Clean Air Branch permits cost applicants about \$30,000 annually.

19 Applicants include state agencies and the public.

- 1 Thank you for the opportunity to testify.

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE CASE  
Chairperson**

**Before the House Committee on  
JUDICIARY & HAWAIIAN AFFAIRS**

**Tuesday, February 1, 2022**

**2:00 PM**

**Via Video Conference**

**HOUSE BILL 1435  
RELATING TO PUBLIC NOTICES**

House Bill 1435 proposes to allow government agencies to publish public notice on their official website as an alternative to the newspaper. **The Department of Land and Natural Resources (Department) supports this Administration measure.**

The Department supports this measure as it will make the notification process simpler and more effective. Newspaper subscriptions have decreased as more people rely on web-based news sources and information. For example, the Star Advertiser had a circulation of 268,244 in 2012. In 2022, its circulation is 147,959, a decrease of near 50%. Thirty percent (30%) of people under 30 have never read a newspaper (Statistica 2022). The option to use web-based notification allows government agencies to choose the most effective media for their public notices.

Thank you for this opportunity to comment on this measure.

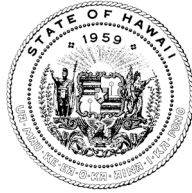
**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

DAVID Y. IGE  
GOVERNOR



DOUGLAS MURDOCK  
CHIEF INFORMATION  
OFFICER

## OFFICE OF ENTERPRISE TECHNOLOGY SERVICES

P.O. BOX 119, HONOLULU, HI 96810-0119  
Ph: (808) 586-6000 | Fax: (808) 586-1922  
ETS.HAWAII.GOV

Testimony of  
DOUGLAS MURDOCK  
Chief Information Officer  
Enterprise Technology Services

Before the

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS  
Tuesday, February 1, 2022

HOUSE BILL NO. 1435  
RELATING TO PUBLIC NOTICES

Dear Chair Nakashima, Vice Chair Matayoshi , and members of the committee:

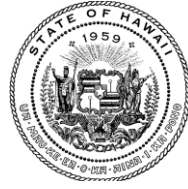
The Office of Enterprise Technology Services (ETS) supports this bill which allows government agencies to publish public notices on an official government website as an alternative to a newspaper.

This measure removes specific references to Hawaii FYI, an old state government website, and adds other publicly accessible government on-line options as timely and cost-effective alternatives for posting government legal notices. We support efforts that provide for and encourage adopting modern technologies and business practices that expand public engagement.

Thank you for the opportunity to provide testimony on this measure.

DAVID Y. IGE  
GOVERNOR

JOSH GREEN M.D.  
LT. GOVERNOR



ISAAC W. CHOY  
DIRECTOR OF TAXATION

STATE OF HAWAII  
**DEPARTMENT OF TAXATION**  
P.O. BOX 259  
HONOLULU, HAWAII 96809  
PHONE NO: (808) 587-1540  
FAX NO: (808) 587-1560

To: The Honorable Mark M. Nakashima, Chair;  
The Honorable Scot Z. Matayoshi, Vice Chair;  
and Members of the House Committee on Judiciary & Hawaiian Affairs

From: Isaac W. Choy, Director  
Department of Taxation

Date: Tuesday, February 1, 2022  
Time: 2:00 P.M.  
Place: Via Video Conference, State Capitol

**Re: H.B. 1435, Relating to Public Notices**

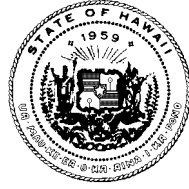
The Department of Taxation (Department) supports H.B. 1435 and offers the following comments for the committee's consideration.

H.B. 1435 amends section 1-28.5, Hawaii Revised Statutes (HRS), to allow government agencies to publish certain public notices on the official State or relevant county website as an alternative to newspaper publishing. The measure is effective upon approval.

Allowing the Department and other government agencies to publish routine notices online instead of purchasing newspaper advertisements would help save time and money that could be better applied to other areas of government administration. Online publishing would also likely be more convenient and accessible for the majority of taxpayers and other interested members of the public.

The Department is in strong support of this bill and is able to implement the measure as drafted. Thank you for the opportunity to testify.

DAVID Y. IGE  
GOVERNOR



CATHY BETTS  
DIRECTOR

JOSEPH CAMPOS II  
DEPUTY DIRECTOR

STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**

P. O. Box 339  
Honolulu, Hawaii 96809-0339

January 31, 2022

TO: The Honorable Representative Mark M. Nakashima, Chair  
House Committee on Judiciary & Hawaiian Affairs

FROM: Cathy Betts, Director

SUBJECT: **HB 1435 – RELATING TO PUBLIC NOTICES.**

Hearing: February 1, 2022, 2:00 p.m.  
Via Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this measure.

**PURPOSE:** The purpose of this measure is to provide government agencies the option to publish notice via a posting on their official website, instead of or in addition to publication in daily or weekly publication such as a printed newspaper.

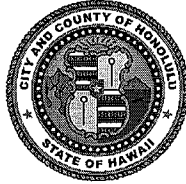
DHS supports the option to publish notices via a posting on our website. DHS remains committed to maintaining timely communication with its applicants and recipients, especially during this pandemic when there were many program updates and changes. DHS will continue utilizing its website to communicate program information that may affect applicant and recipient eligibility and disbursement of essential benefits.

Thank you for the opportunity to provide comments on this measure.

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.dpp.org](http://www.honolulu.dpp.org) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

RICK BLANGIARDI  
MAYOR



DEAN UCHIDA  
DIRECTOR

DAWN TAKEUCHI APUNA  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

February 1, 2022

The Honorable Mark M. Nakashima, Chair  
and Members of the Committee on Judiciary  
and Hawaiian Affairs  
Hawaii House of Representatives  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Nakashima and Committee Members:

**Subject: House Bill No. 1435  
Relating to Public Notices**

The Department of Planning and Permitting (DPP) **strongly supports** House Bill No. 1435, which allows government agencies to publish public notices on their official website as an alternative to the newspaper.

Public notices in newspapers are expensive and have limited visibility, especially among those who tend to obtain daily news and information from social media and other online sources. In fiscal year 2021, City and County of Honolulu departments spent a combined \$296,000 on legal ads in the local daily newspaper, and that cost will surely rise. The DPP alone spent \$32,000 in legal notices, up from \$18,000 just two years prior.

The public's access to information has evolved with the advancement in internet and mobile technology. It is our responsibility to adapt and accommodate the public, in order to serve them in the most efficient and cost-effective way possible.

This Bill would allow the DPP and other agencies to accommodate people's preference and reach a wider audience at lower cost, which will increase government efficiency, transparency, and encourage more public engagement.

Thank you for this opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Uchida".

Dean Uchida  
Director

Statement Before The  
**HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS**

Tuesday, February 1, 2022

2:00 PM

Via Video Conference

in consideration of  
**HB 1435**  
**RELATING TO PUBLIC NOTICES.**

Chair NAKASHIMA, Vice Chair MATAYOSHI, and Members of the House Judiciary & Hawaiian Affairs Committee

Common Cause Hawaii provides written comments with concerns regarding HB 1435, which allows government agencies to publish public notices on an official website as an alternative to a newspaper.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to upholding the core values of our representative democracy – a democracy that works for everyone.

As technology advances, many of our basic democracy values depend on robust connectivity. Broadband enhances civic engagement, participation in the democratic process, and a responsive government. Yet too many in Hawaii lack access to affordable, high-speed broadband and continue to face significant barriers to get online.

HB 1435, allowing government agencies to publish public notices on an official website as an alternative to a newspaper, would increase the divide in government services and accessibility between those with broadband access and those without. Everyone should be made aware of “clean water environmental hazard advisories, as well as in more urgent conditions such as disaster—related response and recovery activities.” See HB 1435 at page 1, lines 7-9. These critical and time-sensitive matters should not just be limited for those who know how to navigate the internet and have broadband.

HB 1435 may have unintended, severe consequences.

Thank you for the opportunity to provide cautioning comments on HB 1435. If you have questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii





# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Judiciary & Hawaiian Affairs  
February 1, 2022 at 2:00 p.m.

by  
Kalbert K. Young  
Vice President for Budget and Finance/Chief Financial Officer  
University of Hawai'i System

### HB 1435 – RELATING TO PUBLIC NOTICES

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to submit testimony in support of HB 1435. This bill would allow government agencies to publish public notices on an official website as an alternative to a newspaper.

The University supports HB 1435 as it will make the public notification process for certain notices more effective and efficient. We have found that the number of newspaper subscriptions have decreased in recent years, thereby reducing our reach for public notices. Alternatively, more citizens tend to rely on online news sources for information which makes publishing public notices more challenging to ensure that they are seen by readers. The University also already publishes its public notices for administrative rules, bond transactions, Board of Regents meetings, and committees on various websites beyond what is currently required by state statute in order to ensure that it is more broadly advertised.

Thank you for the opportunity to testify on this measure.

## NATIONAL FEDERATION OF THE BLIND OF HAWAII

Testimony before the Committee on Judiciary and Hawaiian Affairs (JHA)  
Hawaii State House of Representatives  
Thirty-First Legislature, Regular Session of 2022  
February 1, 2022, 2:00 PM, hearing on hb1435

Good afternoon Mr. chairman, Mr. vice chair, and committee members. I am James Gashel testifying for the National Federation of the Blind of Hawaii (NFBH), testifying in support of HB1435 and suggesting a simple amendment.

This bill is intended to allow posting of public notices on government websites as an alternative to posting in local newspapers. We support this objective and suggest that posting notices electronically will achieve greater distribution of notices. That said, you need to know of accessibility concerns that can arise for blind people when information is posted on websites.

In designing the perfect world, we can all hope that notices posted on websites are more likely than not to be accessible to individuals who access the Internet with screen readers. Screen readers allow blind people to listen to content on websites or to obtain the content in Braille. This technology works very well.

However, the technology only works when the information is being posted in a format that a screen reader can read. Text information works very well; images do not. If a notice is displayed in ordinary text or HTML content on a website, our screen readers can do very well; access should be automatic. But if the notice is posted as a PDF file, created from scanning text, for example, screen reading technology is not able to speak the text or create the notice in Braille. The word you will often hear here is simply “image,” if anything at all.

Our solution: please amend the bill to say: “provided that notices distributed electronically shall be in formats accessible to people who use screen readers, including people who are blind.”

Mahalo for your concern in addressing this.