



**SYLVIA LUKE**  
LIEUTENANT GOVERNOR  
*Ke Ke'ena O Ka Hope Kia'āina*

The 33<sup>rd</sup> Legislature, State of Hawaii  
House Committee on Judiciary and Hawaiian Affairs  
February 13, 2025

Testimony on  
**H.B. 642 - RELATING TO ADMINISTRATIVE RULES**

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

Thank you for the opportunity to **provide comments on H.B. 642** which requires all state agencies adopting, amending, or repealing an administrative rule to make the full text of the rules of the agency available on the website of the Office of the Lieutenant Governor in a digitally accessible and searchable format.

Improving accessibility is an important component of providing government services and if passed, we will work with the Legislature and state agencies to implement the intent of the measure.

We respectfully request the effective date be amended to January 1, 2026 to allow state agencies the opportunity to coordinate with our office.

Thank you for the opportunity to provide comments on H.B. 642.



House Committee on Judiciary and Hawaiian Affairs

Thursday, February 13, 2025, 2 PM Hearing in Conference Room 325 on  
HB 642, Relating to Administrative Rules

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Tarnas, Vice Chair Poepoe, and Committee Members:

**The League of Women Voters of Hawaii supports HB 642.** We also would strongly support a bill amendment to require each county to post all county agency rules, in a digitally accessible and searchable format, on a single county website.

Thank you for the opportunity to submit testimony.

Feb. 13, 2024, 2 p.m.  
Hawaii State Capitol  
Conference Room 325 and Videoconference

**To: House Committee on Judiciary & Hawaiian Affairs**  
**Rep. David A. Tarnas, Chair**  
**Rep. Mahina Poepoe, Vice Chair**

**From: Grassroot Institute of Hawaii**  
**Ted Kefalas, Director of Strategic Campaigns**

TESTIMONY IN SUPPORT OF HB642 — RELATING TO ADMINISTRATIVE RULES

Aloha Chair Tarnas, Vice-Chair Poepoe and other members of the Committee,

The Grassroot Institute of Hawaii would like to offer support for [HB642](#), which would require all state agencies adopting, amending or repealing a rule to make the full text of the proposed rule available on the website of the Office of the Lieutenant Governor in a digitally accessible and searchable format.

Administrative rules govern all aspects of life in Hawaii, from invasive species control to deadlines for the issuance of professional licenses, but currently there is no statewide system that makes it possible for the public to know of and track proposed changes to agencies' administrative rules.

Instead, an interested individual must follow dozens of agencies' calendars and websites for periodic and non-standardized rulemaking notices.

The procedure outlined in HB642 would make it far easier for affected parties to learn of changes to administrative rules, thereby promoting transparency and civic engagement in agency rulemaking.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii



House Committee on Judiciary & Hawaiian Affairs  
Honorable David A. Tarnas, Chair  
Honorable Mahina Poepoe, Vice Chair

**RE: Testimony in Support of H.B. 642, Relating to Administrative Rules**  
Hearing: February 13, 2025 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency. Thank you for the opportunity to submit testimony **in support** of H.B. 642.

This measure would help members of the public to better understand and track proposed agency rules by making the full text of proposals available on a centralized website. We commend the Legislature's effort to increase transparency and access in the agency rulemaking process, which will promote more informed public participation.

Thank you again for the opportunity to testify in support of H.B. 642.



**HB-642**

Submitted on: 2/12/2025 7:38:18 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carrie Ann Shirota	ACLU of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee Members:

ACLU of Hawai'i supports **H.B. 642**. This is a good governance measure that will increase transparency and access in the rulemaking process for agencies.

Mahalo for the opportunity to submit testimony in support of **H.B. 642**.

Sincerely,  
Carrie Ann Shirota

Policy Director, ACLU of Hawai'i

**HB-642**

Submitted on: 2/12/2025 9:07:50 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jenny Yagodich	Individual	Support	Written Testimony Only

Comments:

Support for HB642 to require all state agencies adopting, amending, or repealing a rule to make the full text of the rules of the agency available on the website of the Office of the Lieutenant Governor in a digitally accessible and searchable format.

# PETER L. FRITZ

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Committee On Judiciary & Hawaiian Affairs  
Honorable David A. Tarnas, Chair  
Honorable Mahina Poepoe, Vice Chair

RE: **Testimony in Support of the INTENT of HB642**

Dear Chair, Vice Chair and Members of the Committee:

My name is Peter Fritz. I am an individual with a disability, an attorney and an advocate for individuals with disabilities that has filed ADA complaints against the State and written several bills concerning access for the disabled. I am a former chair of the Disability and Communication Access Board (DCAB) and the Rehabilitation Advisory Council. I am testifying **in support of the INTENT of HB 642**. The actions requested in this bill should be addressed administratively and not legislatively.

## **Title II of the Americans with Disabilities Act Requires (ADA) Accessible Documents.**

Title II of the ADA requires all state agencies to have public documents in an accessible format. Passing this bill will not add anything to accessibility since public documents are required to be accessible by Title II of the ADA.

## **Rules Are First Printed and Signed and Then Converted to a Digital Format.**

Before a rule is posted on the Lieutenant Governor's website, it needs to be printed so that the rules can be physically signed by an Attorney General as to form, by the Department head, by the Governor and then stamped and accepted by the Lieutenant Governor. The paper bill must travel to each one of these parties. The signed, non digital, non searchable paper document must be converted to a digital document before it can be posted on a website. It is likely that the Lieutenant Governor's office converts the signed document to a PDF file as the Lieutenant Governor is the last stop for the rules. Because a document must be printed so that it can be physically signed, it is not possible for an agency to send the final rule in a digital format.

## **An Administrative Change Could Produce the Results Desired by This Bill.**

Modernizing the process to take it advantage of Adobe e-Sign and Adobe Acrobat, this process could be expedited and it would be unnecessary to print document for someone to sign. Hawaii adopted e-Sign to digitally sign PDF documents and Adobe Acrobat software to produce PDF files. State has also adopted Microsoft Word. Microsoft Word has the ability to convert a Microsoft Word document to a PDF file. Adobe e-Sign means that a document never has to be printed to be signed.

The updated process would work as follows:

1. Word for Windows converts the Word document of the proposed or final rules document to a PDF. It is more likely than not that proposed rules be able to be posted on the Governor's website because they would be accessible and may not need to be signed.
2. The PDF file is electronically signed as to form by the Attorney General, Director of the department, and the Governor. The Lieutenant Governor would certify this document and then post it on the Lieutenant Governor's website

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Testimony of Peter Fritz  
February 13, 2025  
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Taking advantage of new technology to digitally sign the PDF final rules means that the file never leaves digital form. It does not have to be physically scanned which can result in errors from scanning. With respect to older PDF rules that may be inaccessible, I ask the committee to take note that Adobe Acrobat contains an action wizard that converts older PDF files to accessible PDF files.

I respectfully request that this bill be held to allow the Lieutenant Governor to explore updating the current process for certifying rules to take advantage of new technology.

Thank you for the opportunity to testify.