

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
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February 1, 2016

The Honorable Mike Gabbard, Chair
and Members of the Committee on Water, Land
and Agriculture
Hawaii State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Gabbard and Members:

Subject: Senate Bill No. 2163
Relating to Service of Process

The Department of Planning and Permitting (DPP) **supports** Senate Bill No. 2163, which allows "posting on a searchable government website" as a means of notifying persons when traditional methods of delivering notices of violation have been unsuccessful.

Annually, the DPP issues well over a hundred notices of violation of our development codes. We do experience occasions when personal service of notices is unsuccessful. In these cases, we publish the notices in a daily newspaper. However, this can be costly for us. Therefore, the option of notification by searchable website would be helpful to us.

However, we believe that Senate Bill No. 2163, as drafted, only applies to violations of Chapter 205, which covers state land use districts, district boundary amendments, and special use permits. It would not address other state or county programs. Consideration should be given to allowing website notification for other types of violations.

Thank you for this opportunity to comment.

Very truly yours,

A handwritten signature in blue ink that reads "George I. Atta".

George I. Atta, FAICP
Director



Conservation Council
for Hawai'i

Hawai'i's voice for wildlife

Kō Hawai'i leo no nā holoholona lōhiu



Testimony Submitted to the Senate Committee on Water, Land, and Agriculture
Hearing: Monday, February 1, 2016 2:45 pm
Conference Room 224

Support for SB 2163 Relating to Service of Process

Chair Gabbard, Vice Chair Nishihara, and Members of the Committee.

Aloha. Conservation Council for Hawai'i supports SB 2163, which allows notice of a land use violation to be given via a posting on a searchable government website when attempts to serve the notice in person and by mail have been unsuccessful.

Serving notices online when potential violators do not want to be found or cannot be found makes a lot of sense, and serves the State and the people well. Please support SB 2163.

Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler

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