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To: Senate Committee on Government Operations

From: Carlotta Amerino, Director

Date: March 17, 2026, 3:05 p.m.
State Capitol, Conference Room 225

Re: Testimony on H.B. No. 2388, H.D. 2
Relating to Public Notice

Thank you for the opportunity to submit testimony on this bill, which would allow government public notices to be done by electronic posting on government websites as an alternative to newspaper publication. The Office of Information Practices (OIP) takes no position on this bill, but offers comments.

OIP itself does not oversee notice requirements other than as set out in the Sunshine Law, part 1 of chapter 92, HRS, and does not oversee the notice requirement being amended here, so OIP is commenting only to provide information. This bill would not affect meeting notices under the Sunshine Law.

The electronic notice provided for in this bill is similar to the electronic notice used for Sunshine Law meetings, and would thus make other types of government notice more similar to Sunshine Law notice. The bill would set a notice deadline of six calendar days before the relevant action, meeting, or effective date, which matches the Sunshine Law's notice deadline. Notice under this bill would be posted either on a state or county calendar (like Sunshine Law notices) or, as an additional option, on a state or county website. The Sunshine Law does not require posting notice on a board's website, but many boards do so in addition to the required

posting on the State or county electronic calendar. Thus, the electronic notices authorized by this bill would be in places members of the public are already accustomed to checking for Sunshine Law notices. OIP notes also that a State or county website is more appropriate than a calendar for posting notice of a proposed action, as opposed to a public hearing or meeting scheduled for a specific time slot.

JOSH B. GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



BONNIE KAHAKUI
ADMINISTRATOR
DAYNA OMIYA
ASSISTANT ADMINISTRATOR

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TESTIMONY
OF
BONNIE KAHAKUI, ADMINISTRATOR
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEE
ON
GOVERNMENT OPERATIONS
MARCH 17, 2026, 3:05 PM

HOUSE BILL 2388, HD2
RELATING TO PUBLIC NOTICE

Chair McKelvey, Vice Chair Gabbard, and members of the committee, thank you for the opportunity to submit testimony on House Bill 2388, HD2. The State Procurement Office (SPO) appreciates that the House Draft 2 of this bill incorporates our recommendations to reinstate the original language identifying that the Comptroller shall determine the publication to serve as a single source for public notices on each island, and to remove references to Hawaii FYI, which is no longer operational.

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

March 17, 2026, 3:05 p.m.
Hawaii State Capitol
Conference Room 225 and Videoconference

To: Senate Committee on Government Operations
Sen. Angus L.K. McKelvey, Chair
Sen. Mike Gabbard, Vice Chair

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

RE: COMMENTS ON HB2388 HD2 — RELATING TO ADMINISTRATIVE RULES

Aloha Chair, Vice Chair and other Committee Members,

The Grassroot Institute of Hawaii offers **comments** on [HB2388 HD2](#), which would allow government agencies to satisfy public notice requirements by posting notices on official state and county websites, while retaining publication as an option.

This bill recognizes that changes in technology have limited the utility of newspaper publication as a source of public notices and proposes the long-overdue option of online posting.

However, this alternative highlights a major area of concern in government transparency: There is no central, well-maintained website where the public can easily find and access government notices.

Allowing notices to be published on a variety of state and county websites could help address some of the problems caused by the print-publication requirement, but that option comes with its own challenges. In particular, an interested individual would be forced to follow dozens of agencies' calendars and websites for periodic and non-standardized notices, creating other potential accessibility and timeliness issues.

Therefore, we recommend that the committee retain the publication option while looking into establishing a standardized system that designates a single site where all such notices can be found.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii