

DAVID Y. IGE  
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH

**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
PRINCESS VICTORIA KAMĀMALU BUILDING  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
March 15, 2022

The Honorable Sharon Moriwaki, Chair  
Senate Committee on Government Operations  
The Thirty-First Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Senator Moriwaki and Committee Members:

**SUBJECT: HB1419 HD1 Relating to Electronic Information Technology Accessibility**

The Hawaii State Council on Developmental Disabilities supports the intent of **HB1419 HD1**, which requires the office of enterprise technology services to develop, publish, and periodically update electronic information technology disability access standards to be implemented by state entities.

The intellectual/developmental disability community uses a wide range of accessible technologies to access electronic information. The Council appreciates this measure as it seeks to include our disability community's need to access technology and participate in state programs and services.

For recommendations, the Council defers to and supports the Disability and Communication Access Board's testimony on HB1419 HD1.

Thank you for the opportunity to submit testimony in supporting the intent of **HB1419 HD1**.

Sincerely,

A handwritten signature in blue ink that reads "Daintry Bartoldus".

Daintry Bartoldus  
Executive Administrator

National FEDERATION OF THE BLIND OF HAWAII  
Testimony before the Committee on Government Operations (GVO)  
Hawaii State Senate  
Thirty-First Legislature, Regular Session of 2022  
March 15, 2022, 3:00 PM, hearing on HB1419 H.D.1

Good afternoon Chair Moriwaki, Vice chair Dela Cruz, and members. I am James Gashel, representing the National Federation of the Blind (NFB) of Hawaii, fully supporting HB1419 H.D. 1 and suggesting amendments to make terminology and references consistent with federal provisions.

Before I get to the meat of this testimony, NFB of Hawaii wants to give special thanks to Senator Moriwaki and to Senator Dela Cruz for their leadership as principal Senate introducers of bills on the same point as HB1419 H.D. 1. Fifteen senators, and I think 30 representatives, have put their names on the Senate and House bills. This is very gratifying. Members of the NFB of Hawaii thank you for your support and understanding.

State entities are making great progress to fully embrace the Information Age. Doing so can have enormous advantages when the technology is well designed and accessible. We use the term “accessible” to mean the technology is disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Accessible technology tools exist, including screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

The point of this bill is adoption and application of standards needed to ensure that the screen readers and other disability access technology tools can perform as intended. Disability access to electronic information technology just won't happen without standards.

Existing state and federal laws require accessible technology, but the goal of equivalent disability access is often not achieved. The reason is lack of clearly applicable standards to guide design, procurement, and deployment. Equivalent disability access must become part of the product specifications. That's the point of this bill.

The federal government started to tackle this problem in 1998 by passing section 508 when amending the Rehabilitation Act of 1973. I know you have heard about section 504 of the Rehabilitation Act, prohibiting discrimination on the basis of disability. Making a similar point, section 508 says that technology used by the federal government must be accessible to persons with disabilities. This applies to federal agencies, but not to the states or to federally assisted programs.

HB1419 H.D. 1 would require state entities to follow information technology disability access standards. By this bill the state standards must be consistent with standards issued by the U.S. Access Board to implement section 508, making our state's information technology consistent with federal requirements.

It's one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for yourself. It's going away as the pandemic recedes, but try to navigate the Hawaii Safe Travel program with a screen reader. Not showing our aloha, that's for sure. Can it be done? Partly yes, and partly no. Being required to sign your name in a box somewhere on a computer screen you can't see is only one of several barriers. I'm sure we can do better.

HB1419 holds promise that we will do better. In passing this bill the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill for sure, but for blind people, this is a twenty-first century civil rights bill. It will also become an important key to independence and equality for people with disabilities in our state. Mahalo for hearing this bill and understanding why we need it passed into law.

Finally, below this statement you will find some suggested amendments to adopt terminology and references to federal standards referenced in the bill. These suggestions are offered to create consistency with federal provisions and avoid confusion when our state's access standards are developed. Mahalo for your consideration.

Suggested amendments to HB1419 H.D. 1

Offered by National Federation of the Blind of Hawaii

Purpose: to revise terminology and references to federal standards for consistency with referenced federal provisions

(a) Suggested terminology amendments:

(1) Throughout the bill, delete the phrase “electronic information technology,” wherever it appears and insert in lieu thereof: “information and communication technology”.

Note: The phrase, “information and communication technology,” or “(ICT),” is the precise term of art used in the federal section 508 standards. Adopting this term, rather than “electronic information technology,” presently in the bill, will help to avoid confusion between state and federal terminology.

(2) In the definitions section, strike the definition of “electronic information technology,” and insert the following: “Information and communication technology (ICT) means: Information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples of ICT include, but are not limited to: computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment; multifunction office machines; software; applications; Web sites; videos; and, electronic documents.”

Note: The definition in quotes above is the precise definition used in the revised federal section 508 ICT standards issued by the U. S. Access Board on January 18, 2017.

(<https://www.access-board.gov/ict/#E103-definitions>)

The same definition can be found in the Code of Federal Regulations, 36 CFR part 1194, Appendix A (setting forth the federal section 508 ICT standards.

(<https://www.ecfr.gov/current/title-36/chapter-XI/part-1194>)

(b) Suggested amendment to referenced federal standards:

In proposed new Chapter 27, part VII, section 27-, subsection (c), strike all that appears in paragraph (1) and insert the following in lieu thereof: “Be consistent with standards and guidelines issued by the United States Access Board in the implementation of section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794D), and Section 255 of the Communications Act (47 U.S.C. 255)”

Note: As originally introduced and as currently written in HB1419 H.D.1, the bill would require the state’s information technology accessibility standards to “Be consistent with standards issued by the United States Access Board in the implementation of section 508 of the Rehabilitation Act of 1973, as amended”. However, The statutory accessibility mandate of section 508 is so similar to section 255 of the Communications Act that the Access Board has implemented both laws by issuing combined standards and guidelines, effective January 18, 2017. The addition of section 255 of the Communications Act to the reference is suggested for correctness and consistency with federal provisions and does not change the intent or scope of the bill.

(<https://www.ecfr.gov/current/title-36/chapter-XI/part-1194>)d

Testimony of Hoku Burrows before the Government Operations Committee (GOV)  
Hawaii State Senate Thirty-First Legislature, Regular Session of 2022  
March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. I am Hoku Burrows, a blind woman and member of the NFB of hawaii'. I am in full support of HB1419 H.D. 1.

I stand in strong support of the testimony submitted by James Gashel for The National Federation of the Blind of Hawai'i. In passing HB1419 the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill, yet for me and my blind colleagues, this is an essential twenty-first century civil rights bill. it will also become an important key to independence and equality for people with disabilities in our state.

Mahalo nui loa for your support of this bill.

Testimony of Katie Keim before the Government Operations Committee (GOV)  
Hawaii State Senate Thirty-First Legislature, Regular Session of 2022  
March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. My name is Katie Keim, a blind business woman and member of the National Federation of the Blind of Hawaii in strong support of HB1419 H.D. 1.

I stand in full support of the testimony submitted by James Gashel, Legislative Director for the NFB of Hawaii.

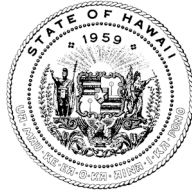
Each time a state agencies electronic digital application gets designed or updated, new barriers arise. The technology is there yet not implemented within the design of the online application.

A top priority for working age adults with disabilities is to engage fully in employment we are qualified for, including applying for state agency positions. Imagine seeking employment which due to the requirements of the state agency is to apply on line, yet you cannot simply because you cannot fill out or file the forms due to the lack of accessibility of the online process? And if you made it past the submittal of your application to an interview, yet what would you do if you couldn't get past the barriers on a digital interview platform? Just because the format was not accessible due to your disability? One more job opportunity lost even though there is existing technology that would enable an individual to participate. Far too often this is the case.

The importance of passing this bill to those of us with disabilities, is critical to our equality and full participation in our community.

Mahalo nui loa for your consideration and support in moving this important bill forward.

DAVID Y. IGE  
GOVERNOR



DOUGLAS MURDOCK  
CHIEF INFORMATION  
OFFICER

## OFFICE OF ENTERPRISE TECHNOLOGY SERVICES

P.O. BOX 119, HONOLULU, HI 96810-0119  
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ETS.HAWAII.GOV

Testimony of  
DOUGLAS MURDOCK  
Chief Information Officer  
Enterprise Technology Services

Before the  
SENATE COMMITTEE ON GOVERNMENT OPERATIONS  
Tuesday, March 15, 2022

HOUSE BILL NO. 1419 HD1  
RELATING TO INFORMATION TECHNOLOGY SERVICES

Dear Chair Moriwaki, Vice Chair Dela Cruz and members of the committee,

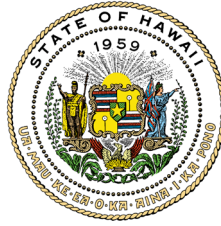
The Office of Enterprise Technology Services (ETS) supports and provides comments on this bill which would requires ETS to develop electronic information technology disability access standards.

Implementing the requirements in this bill would require additional resources in terms of money and personnel. ETS requests one position with a salary of \$75,000.

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

DAVID Y. IGE  
GOVERNOR OF HAWAII

ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH



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**Testimony in SUPPORT of HB1419 HD1  
Relating to Electronic Information Technology Accessibility**

COMMITTEE ON GOVERNMENT OPERATIONS  
SENATOR SHARON Y. MORIWAKI, CHAIR  
SENATOR DONOVAN M. DELA CRUZ, VICE CHAIR

Testimony of Caroline Cadirao  
Director, Executive Office on Aging  
Attached Agency to the Department of Health

Hearing Date: March 15, 2022  
3:00 p.m.

Room Number: 016  
Via Videoconference

1 **EOA's Position:** The Executive Office on Aging (EOA), an attached agency to the Department  
2 of Health, supports HB1419 HD1, Relating to Electronic Information Technology Accessibility.

3 **Fiscal Implications:** There are no fiscal implications.

4 **Purpose and Justification:** This measure requires that all electronic information technology  
5 developed, purchased, used, or provided by a state entity be made accessible to persons with  
6 disabilities. In addition, the Office of Enterprise Technology Services, in consultation with the  
7 Disability and Communication Access Board and a working group of stakeholders are required  
8 to develop, publish, and update electronic information technology accessibility standards to be  
9 implemented by all state entities.

10 Mr. Philip Ana is the Long-Term Care Disability Specialist in the Executive Office on Aging. He  
11 is also a blind user of assistive technology and relies on several pieces of assistive technology to  
12 do his work. His laptop is equipped with a screen reading program called "Jaws" for windows



1 allowing him to read information in email. He is also able to access the internet by entering the  
2 link to the Legislature and downloading the bill to be read through Jaws or embossed in braille  
3 for him to read. He laughed when he thought about what would happen if the Legislative website  
4 was not accessible for him to use with his technology?

5 He shares this example with you because technology is equally as important as accessibility. His  
6 previous laptop did not have enough resources to support the new operating system along with  
7 the assistive technology.

8 A few years ago, when EOA upgraded from Windows 7 to Windows 10 the Jaws screen reading  
9 software needed to be upgraded as well. The embosser that he used also needed a software  
10 upgrade. Island Skills, a technology business specializing in blind technology assisted him in  
11 making the necessary changes. They submitted a proposal to EOA for all the equipment and  
12 software upgrades needed including training on the devices. Included in this package was the  
13 Kurtzweil Scanning and Reading technology and the Braille Touch note taker device.

14 Mr. Ana supports the Enterprise Technology Services, in consultation with the Disability and  
15 Communication Access Board, and a working group comprising stakeholders to develop and  
16 publish information technology accessibility standards to be implemented by all state entities.

17 **Recommendation:** EOA supports this measure.

18 Thank you for the opportunity to testify.



## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129

March 15, 2022

### TESTIMONY TO THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS

#### House Bill 1419, House Draft 1 – Relating to Electronic Information Technology Accessibility

The Disability and Communication Access Board (DCAB) supports House Bill 1419, House Draft 1 Relating to Electronic Information Technology Accessibility. This bill would require the Office of Enterprise Technology Services (ETS), in consultation with DCAB and a working group comprised of stakeholders, to develop, publish and periodically update electronic information technology disability access standards to be implemented by state entities.

DCAB recommends changing the definition on page 5, line 4 of “individual with a disability” to include all individuals with disabilities and to cite the Americans with Disabilities Act (ADA) definition of disability.

Many states have implemented legislation or policies on electronic and information technology or information and communication technology accessibility. Hawaii must establish a working group to develop, publish and periodically update disability access standards to implement and ensure consistency of access for all state entities. This will ensure that electronic information technology will be accessible for persons with disabilities throughout state government.

DCAB thanks the Legislature for bringing attention to the need for the State to develop Hawaii Electronic Information Technology Disability Access Standards.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

KIRBY L. SHAW  
Executive Director

Testimony of Donald Sakamoto before the Government Operations Committee (GOV) Hawaii State Senate Thirty-First Legislature, Regular Session of 2022 March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1.

Good afternoon chair, vice chair, and members. I am Donald Sakamoto, fully supporting Hb1419.

The coming of the information age is rapidly replacing conventional printed communications with use of electronic information technology in employment, education, and receipt of services. State entities have particular needs and responsibilities to provide everyone with equal and convenient access to communications relating to programs they conduct. Examples include both dissemination of information as well as completing and submitting electronic forms online, whether by employees or the public.

Access for people with disabilities is possible however, too often it is not considered as new technologies are designed and deployed. Great strides have been made to create accessible technology tools. Examples of these tools include screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

State entities are making progress to fully embrace the Information Age. Doing so can really have enormous advantages when the technology is well designed and accessible. We use the term "accessible" in this context to mean the technology is disability barrier free, and, in that respect, we need the current performance of state entities to be uneven.

Ready access to and use of electronic information technology is essential for all citizens to participate equally in all state programs and services, and to receive and enjoy the benefits of the state's programs and services, which must by law be equally available without regard to disability. Cost-efficient techniques and products exist to make modern communications technology accessible to individuals with disabilities by proactively addressing accessibility at the time of planning, design, development, and procurement of electronic information technology.

Recognizing this, the purpose of this bill is to establish and implement standards for providing access to electronic information technology developed, purchased, and used by state entities. The point of this bill is standards, and this Disability access to electronic information technology just won't happen without it.

As far as access is concerned, the existing law is very clear on this. People with disabilities are supposed to have access to information and services that is equivalent to access provided to persons without disabilities. The goal of equivalent disability access is pretty well known however, far less often achieved. The reason is lack of clearly applicable standards to guide design, procurement, and deployment. Equivalent disability access must become part of the product specification. That's the point of this bill.

It's one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for yourself. For example, try to navigate the Hawaii State Reapportionment Maps for instance as a blind person with a screen reader. Not showing our aloha, that's for sure. Can it be done? Partly yes, and partly no. Just having the maps first shown on the state's election website in the middle of last year 2021 without no PDF description during their public input is one of several barriers. I'm sure we can do better. HB1419 holds promise that we will do better. In passing this bill the legislature will make a powerful statement on behalf of equal rights and equal opportunity especially for those who are blind and furthermore, this bill will also become an important key to independence and equality for all peoples with disabilities in our state too.

Mahalo for hearing this bill and let's "GO FOR BROKE" and do the right thing and move this bill forward.

Aloha Good afternoon chair , Vice chair and the rest of the committee.

First and foremost I would like to say thank you very much for letting me and allowing my testimony to be on record. My name is Allan Hegent i'm born and raise on the big island I am still currently residing on the big island and live on the east side of Hilo, More like Puna District. I am also blind and I'm 38 years old, I am not going to write a long testimony and waste The committee time, I'll just go straight to the point, I have high hopes that you folks approve and Pass this bill HB1419 The accessibility act, I'm not going to go into much details and telling you and the rest of the committee why, All I can say is it would be very beneficial to help us buying folks and the other disabilities out there as well.

Mahalo's's sincerely Allan Hegent

Testimony of **Annette Chiyo Tashiro** before the Government Operations Committee (GOV)

Hawaii State Senate

Thirty-First Legislature, Regular Session of 2022

March 15, 2022, 3:00 PM, Hearing on HB 1419 H.D. 1

Good afternoon chair, vice chair, and members. I am Annette Chiyo Tashiro, fully supporting HB1419 H.D. 1.

The information age is rapidly replacing conventional printed communications with use of electronic information technology in employment, education, and receipt of services. Examples include both dissemination of information as well as completion and submission of electronic forms online, whether by employees or the public.

Access for people with disabilities is possible but too often not considered as new technologies are designed and utilized. Great strides have been made to create accessible technology tools. These tools include screen readers; able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

State entities are embracing the Information Age with new workplace technologies and online services. Wise use of information technology can have enormous advantages when it is well designed and accessible. We use the term “accessible” in this context to mean the technology is barrier free to persons with disabilities.

Ready access to and use of electronic information technology is essential for everyone to participate equally in all State programs, and to receive and enjoy the benefits of the State’s programs, which must by law be equally available without regard to abilities. Cost-effective techniques and products exist to make modern communications technology accessible to individuals with disabilities by proactively addressing accessibility at the time of planning, design, development, and procurement of electronic information technology.

A Federal law known as Section 508 requires information technology purchased by Federally funded agencies to meet accessible use standards at the time the technology is purchased and not at some later date in response to a problem arising from lack of access. On its face, section 508 does not have technical applicability to State entities. More laws are needed. By adopting this proactive approach with specific disability access standards applicable to State entities, Hawaii will join the mainstream of states now looking to the Federal Section 508 standards as an achievable accessibility blueprint.

It's one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for oneself. As the pandemic recedes, navigating the Hawaii Safe Travel program with a screen reader will need to continue. We need to continue the Aloha spirit.

Being required to sign your name in a box somewhere on a computer screen you can't see or trying to sign the ballot envelop are some of the barriers. I'm sure Hawaii can do better.

In passing HB1419 the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill for sure, but for blind or print challenged people, this is an essential twenty-first century civil rights bill. it will also become an important key to independence and equity for people with disabilities.

Mahalo for hearing this bill and understanding why it needs to be passed into law.

**HB-1419-HD-1**

Submitted on: 3/12/2022 9:17:22 PM

Testimony for GVO on 3/15/2022 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stan Young	Testifying for Hawaii State committee of Blind Vendors	Support	Written Testimony Only

Comments:

Testimony of Stan Young, Chairperson, Hawaii State Committee of Blind Vendors.

before the Government Operations Committee (GOV)

Hawaii State Senate

Thirty-First Legislature, Regular Session of 2022

March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. I am Stan Young, fully supporting

HB1419 H.D. 1.

The information age is rapidly replacing conventional printed communications with use of electronic information technology in employment, education, and receipt of services. Examples include both dissemination of information as well as completion and submission of electronic forms online, whether by employees or the public.

Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Great strides have been made to create accessible technology tools. These tools include screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

State entities are embracing the Information Age with new workplace technologies and online services. Wise use of information technology can have enormous advantages when it is well designed and accessible. We use the term “accessible” in this context to mean the technology is disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

Ready access to and use of electronic information technology is essential for everyone to participate equally in all state programs, and to receive and enjoy the benefits of the state’s programs, which must by law be equally available without regard to disability. Cost-effective techniques and products exist to make modern communications technology accessible to individuals with disabilities by proactively addressing accessibility at the time of planning, design, development, and procurement of electronic information technology.

A federal law known as section 508 requires information technology purchased by federal agencies to meet accessible use standards at the time the technology is purchased and not at some later date in response to a problem arising from lack of access. On its face, section 508 does not have technical applicability to state entities. More law is needed. By adopting this proactive approach with specific disability access standards applicable to state entities, Hawaii will join the mainstream of states now looking to the federal section 508 standards as an achievable accessibility blueprint.

It’s one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for yourself. It’s going away as the pandemic recedes, but try to navigate the Hawaii Safe Travel program with a screen reader. Not showing our aloha, that’s for sure. Can it be done? Partly yes, and partly no. Being required to sign your name in a box somewhere on a computer screen you can’t see is only one of several barriers. I’m sure we can do better.

In passing HB1419 the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill for sure, but for blind people, this is an essential twenty-first century civil rights bill. it will also become an important key to

independence and equality for people with disabilities in our state.

Mahalo for hearing this bill and understanding why we need it passed into law.





**HB-1419-HD-1**

Submitted on: 3/13/2022 9:55:57 PM

Testimony for GVO on 3/15/2022 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joel Cho	Individual	Comments	Written Testimony Only

Comments:

Aloha Committee,

My name is Joel Cho and I strongly support HB1419. I am completely blind and passage of this bill would mean a lot to me as it would allow the blind to have more independent access to technology produced by the government.

Yesterday I had a large Instacart order that required a signature, the only other option was to allow the driver to take a picture of my State ID, which of course, nobody in their right mind would want to do. Fiddling with my phone, all I had to do was hit the return button and a signature box popped up that let me type in my name to complete the order. It would be really great to have the same ease of access to State Government apps like “Safe Travels” or whatever comes next.

This bill is a great opportunity for our Hawaii State Legislature to improve lives without having to invest in creating new technology because it already exist, it just needs to be used; hopefully starting with our own State Agency for the Blind, Ho’opono.

Mahalo and Aloha,

Joel Cho

Testimony of Virgil Stinnett before the Government Operations Committee (GOV)  
Hawaii State Senate Thirty-First Legislature, Regular Session of 2022  
March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. My name is Virgil Stinnett, a blind entrepreneur in service to our Department of Defense, and elected president of the National Federation of the Blind of Hawaii in strong support of HB1419 H.D. 1.

I stand in strong support on the testimony submitted by James Gashel, Legislative Director for the NFB of Hawaii.

Mahalo and Aloha for your consideration in moving this important bill forward, and in support of our equality and access to critical participation of electronic information.

Brandon G. Young

Testimony of Brandon Young  
before the Government Operations Committee (GOV)  
Hawaii State Senate  
Thirty-First Legislature, Regular Session of 2022  
March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. I am Brandon Young, fully supporting HB1419 H.D. 1.

The information age is rapidly replacing conventional printed communications with use of electronic information technology in employment, education, and receipt of services. Examples include both dissemination of information as well as completion and submission of electronic forms online, whether by employees or the public.

Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Great strides have been made to create accessible technology tools. These tools include screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

State entities are embracing the Information Age with new workplace technologies and online services. Wise use of information technology can have enormous advantages when it is well designed and accessible. We use the term “accessible” in this context to mean the technology is disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

Ready access to and use of electronic information technology is essential for everyone to participate equally in all state programs, and to receive and enjoy the benefits of the state’s programs, which must by law be equally available without regard to disability. Cost-effective techniques and products exist to make modern communications technology accessible to individuals with disabilities by proactively addressing accessibility at the time of planning, design, development, and procurement of electronic information technology.

A federal law known as section 508 requires information technology purchased by federal agencies to meet accessible use standards at the time the technology is purchased and not at some later date in response to a problem arising from lack of access. On its face, section 508 does not have technical applicability to state entities. More law is needed. By adopting this proactive approach with specific disability access standards applicable to state entities, Hawaii will join the mainstream of states now looking to the federal section 508 standards as an achievable accessibility blueprint.

It’s one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for yourself. It’s going away as the pandemic recedes, but try to navigate the Hawaii Safe Travel program with a screen reader. Not showing our aloha, that’s for sure. Can it be done? Partly yes, and partly no. Being required to sign your name in a box somewhere on a computer screen you can’t see is only one of several barriers. I’m sure we can do better.

In passing HB1419 the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill for sure, but for blind people, this is an essential twenty-first century civil rights bill. It will also become an important key to independence and equality for people with disabilities in our state.

Mahalo for hearing this bill and understanding why we need it passed into law.

Testimony of Leni Ebusutani  
before the Government Operations Committee (GVO)  
Hawaii State Senate  
Thirty-First Legislature, Regular Session of 2022  
March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. I am Leni Ebusutani, fully supporting HB1419 H.D. 1.

This bill will help to make the state's information technology work better for people with disabilities. Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Speaking from my own experience, accessibility of state agency technology is often far behind of what we need it to be.

Ready access to and use of electronic information technology is essential for everyone to participate equally in all state programs, and to receive and enjoy the benefits of the state's programs, which must by law be equally available without regard to disability. Cost-effective techniques and products exist to make modern communications technology accessible to individuals with disabilities by proactively addressing accessibility at the time of planning, design, development, and procurement of electronic information technology.

In passing HB1419 the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill for sure, but for blind people, this is an essential twenty-first century civil rights bill. it will also become an important key to independence and equality for people with disabilities in our state.

Mahalo for hearing this bill and understanding why we need it passed into law.

**HB-1419-HD-1**

Submitted on: 3/14/2022 10:13:50 AM

Testimony for GVO on 3/15/2022 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Clifford Miyashiro	Individual	Support	Written Testimony Only

Comments:

stimony of Clifford Miyashiro

before the Government Operations Committee (GOV)

Hawaii State Senate

Thirty-First Legislature, Regular Session of 2022

March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. I am (insert your name here), fully supporting HB1419 H.D. 1.

The information age is rapidly replacing conventional printed communications with use of electronic information technology in employment, education, and receipt of services. Examples include both dissemination of information as well as completion and submission of electronic forms online, whether by employees or the public.

Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Great strides have been made to create accessible technology tools. These tools include screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

State entities are embracing the Information Age with new workplace technologies and online services. Wise use of information technology can have enormous advantages when it is well designed and accessible. We use the term “accessible” in this context to mean the technology is

disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

Ready access to and use of electronic information technology is essential for everyone to participate equally in all state programs, and to receive and enjoy the benefits of the state's programs, which must by law be equally available without regard to disability. Cost-effective techniques and products exist to make modern communications technology accessible to individuals with disabilities by proactively addressing accessibility at the time of planning, design, development, and procurement of electronic information technology.

A federal law known as section 508 requires information technology purchased by federal agencies to meet accessible use standards at the time the technology is purchased and not at some later date in response to a problem arising from lack of access. On its face, section 508 does not have technical applicability to state entities. More law is needed. By adopting this proactive approach with specific disability access standards applicable to state entities, Hawaii will join the mainstream of states now looking to the federal section 508 standards as an achievable accessibility blueprint.

It's one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for yourself. It's going away as the pandemic recedes, but try to navigate the Hawaii Safe Travel program with a screen reader. Not showing our aloha, that's for sure. Can it be done? Partly yes, and partly no. Being required to sign your name in a box somewhere on a computer screen you can't see is only one of several barriers. I'm sure we can do better.

In passing HB1419 the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill for sure, but for blind people, this is an essential twenty-first century civil rights bill. it will also become an important key to

independence and equality for people with disabilities in our state.

Mahalo for hearing this bill and understanding why we need it passed into law.



Testimony of Jaclyn Borsa  
before the Government Operations Committee (GOV)  
Hawaii State Senate  
Thirty-First Legislature, Regular Session of 2022  
March 15, 2022, 3:00 PM, hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. I am Jaclyn Borsa, fully supporting HB1419 H.D. 1.

The information age is rapidly replacing conventional printed communications with use of electronic information technology in employment, education, and receipt of services. Examples include both dissemination of information as well as completion and submission of electronic forms online, whether by employees or the public.

Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Great strides have been made to create accessible technology tools. These tools include screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

State entities are embracing the Information Age with new workplace technologies and online services. Wise use of information technology can have enormous advantages when it is well designed and accessible. We use the term “accessible” in this context to mean the technology is disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

Ready access to and use of electronic information technology is essential for everyone to participate equally in all state programs, and to receive and enjoy the benefits of the state’s programs, which must by law be equally available without regard to disability. Cost-effective techniques and products exist to make modern communications technology accessible to individuals with disabilities by proactively addressing accessibility at the time of planning, design, development, and procurement of electronic information technology.

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In passing HB1419 the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. HB1419 is a technology bill for sure, but for blind people, this is an essential 21st century civil rights bill. it will also become an important key to independence and equality for people with disabilities in our state.

Mahalo for hearing this bill and understanding why we need it passed into law.

**HB-1419-HD-1**

Submitted on: 3/14/2022 11:41:21 AM

Testimony for GVO on 3/15/2022 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas Moises	Individual	Support	Written Testimony Only

Comments:

Testimony of (insert your name here)

before the Government Operations Committee (GOV)

Hawaii State Senate

Thirty-First Legislature, Regular Session of 2022

[March 15, 2022, 3:00 PM](#), hearing on HB1419 H.D. 1

Good afternoon chair, vice chair, and members. I am Douglas Moises, fully supporting HB1419 H.D. 1.

The information age is rapidly replacing conventional printed communications with use of electronic information technology in employment, education, and receipt of services. Examples include both dissemination of information as well as completion and submission of electronic forms online, whether by employees or the public.

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State entities are embracing the Information Age with new workplace technologies and online services. Wise use of information technology can have enormous advantages when it is well designed and accessible. We use the term “accessible” in this context to mean the technology is disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

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**LATE**



# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

Tuesday, March 15, 2022  
Via Videoconference, 3:00 p.m.  
Conference room 16

To: The Honorable Sharon T. Moriwaki, Chair  
The Honorable Donovan Dela Cruz., Vice Chair  
Members of the Senate Committee on Government Operations

From: Liann Ebesugawa, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 1419, H.D.1

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

**The HCRC supports H.B. No. 1419, H.D.1**, which requires the Office of Enterprise Technology Services (ETS) to develop, publish, and periodically update electronic information technology disability access standards to be implemented by state entities. The measure also requires the Chief Information Officer (CIO), in consultation with the Disability and Communication Access Board (DCAB), to convene a working group to review the ETS accessibility standards every three years and update them as necessary.

The HCRC supports the effort to comply with the ADA, and create, develop and

implement accessibility standards. The HCRC also supports convening a working group to periodically review and update the accessibility standards. It is much better for the state to proactively and systematically plan for compliance with accessibility requirement, rather than to leave departments, divisions, agencies, and all state entities to their own devices to plan for compliance and respond to complaints on an ad hoc, case by case basis.

Pursuant to Act 164, L. 2021, effective July 1, 2022, the HCRC will have expanded (restored) jurisdiction over state and state-funded agencies regarding disability discrimination pursuant to HRS § 368-1.5. This expanded enforcement jurisdiction will give the HCRC jurisdiction over complaints of disability discrimination in access to state agencies, programs, and activities, including accessibility of electronic information technology and web accessibility. With this enforcement jurisdiction and responsibility, it would be inappropriate for the HCRC to be considered for inclusion in the working group that the bill calls for the CIO to convene, in consultation with DCAB.

Given its limited and narrowly focused enforcement role, the HCRC defers to ETS and DCAB expertise regarding the proactive planning measures that will bring the State into compliance with accessibility requirements.

**The HCRC supports H.B. 1419, H.D.1.**