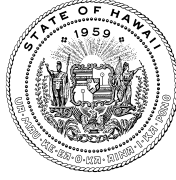


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



KEITH A. REGAN
COMPTROLLER
KA LUNA HO'OMALU HANA LAULĀ

MEOH-LENG SILLIMAN
DEPUTY COMPTROLLER
KA HOPE LUNA HO'OMALU HANA LAULĀ

STATE OF HAWAII'Ī | KA MOKU'ĀINA O HAWAII'Ī
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES | KA 'OIHANA LOIHELU A LAWELAWÉ LAULĀ
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY
OF
KEITH A. REGAN, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE

COMMITTEE ON GOVERNMENT OPERATIONS

MARCH 21, 2023, 3:30 PM
CONFERENCE ROOM 225 AND VIA VIDEOCONFERENCE, STATE CAPITOL

H. B. 1145, H.D. 1

RELATING TO EQUITY.

Chair McKelvey, Vice Chair Gabbard, and Members of the Committee thank you for the opportunity to submit **comments** on H.B. 1145, H.D. 1 which requires all places of public accommodation and state building construction constructed after 12/31/23 to provide universal changing accommodations in public restrooms that are equally accessible to men and women.

The Department of Accounting and General Services (DAGS) requests the following amendment be made in the proposed language contained in Section 107-27 (e) on page 5, lines 20-21:

“(e) Where feasible and cost effective, state building construction projects bid after June 30, 2024, shall include universal changing accommodations pursuant to part

of chapter 489.”

The addition of this amendment allows agencies to reasonably redesign projects already in process to meet this requirement and to minimize the claims for hardship due to unreasonable time constraints.

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



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KĪWILA O HAWAI‘I

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

Tuesday, March 21, 2023, 3:00 p.m.
Rm. 225, and Videoconference

To: The Honorable Senator Angus L.K. McKelvey, Chair
The Honorable Senator Mike Gabbard, 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. 1145, 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.

The HCRC offers these comments on H.B. 1145, H.D.1, which requires all new establishments defined as public accommodations, or state building construction, constructed after December 31, 2023, to provide universal adult changing accommodations that are equally accessible to men and women.

The measure proposes a new part to the statutes, and places it within Chapter 489. Noting that the HCRC has jurisdiction over discrimination in public accommodations under Chapter 489, Part I, the HCRC appreciates the placement of this new adult changing station requirement in a new part, expressly excluded from HCRC jurisdiction. In this respect, the new statutory requirement would be similar to Chapter 489, Part II, relating to Breastfeeding in Public Accommodations, which is also expressly placed outside of HCRC jurisdiction.

This measure would significantly aid those with disabilities who need help with toileting, by providing safe and sanitary facilities, and would allow them to join friends and family members on outings. The lack of access to changing facilities can

limit those with disabilities from leaving home. This bill will aid them and their caregivers.

The measure defines universal changing accommodations as a “powered, height adjustable adult changing station that is either floor or wall mounted.” New Hampshire, California, and Arizona have enacted similar measures, some more limited than this proposal, emphasizing large entertainment venues or state buildings. California’s statute is limited to places of public amusement such as sports arenas or theaters. Arizona’s statute is only applicable to buildings built with public monies. New Hampshire’s law applies to all public buildings. This measure would require universal changing accommodations in a broader range of establishments.

This is pioneering legislation that would aid those with disabilities, and their caregivers.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
March 21, 2023

The Honorable Senator Angus L.K. McKelvey, Chair
Senate Committee on Government Operations
The Thirty-Second Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Senator McKelvey and Committee Members:

SUBJECT: HB1145 HD1 RELATING TO EQUITY

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB1145 HD1**, which requires all places of public accommodation and state building construction constructed after 12/31/23 to provide universal changing accommodations in public restrooms.

Families and caregivers of people with disabilities that require changing facilities want to participate in as many activities and outings as possible. At the same time, they must plan out or research their trip or daily activities to include accessible spaces along their path of travel, taking into consideration the disability-friendly rest areas that provides a safe and dignified toileting area along a certain route.

Implementing universal changing accommodations will ensure our Intellectual and Developmental Disability (I/DD) community members have more equity in access, removing barriers to travel that currently affect full participation and integration in daily activities. This will greatly benefit the I/DD community's access to public spaces.

Thank you for the opportunity to submit testimony in **support of HB1145 HD1**.

Sincerely,

Daintry Bartoldus
Executive Administrator



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • TTY (808) 586-8162 • Fax (808) 586-8129

March 21, 2023

TESTIMONY TO THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS

House Bill 1145 HD1 – Relating to Equity

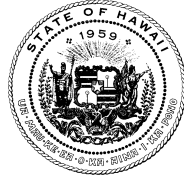
The Disability and Communication Access Board (DCAB) supports House Bill 1145 HD1 – Relating to Equity. This bill would require all places of public accommodation and state building construction constructed after 12/31/23 to provide universal changing accommodations in public restrooms.

A fundamental goal of the Americans with Disabilities Act (ADA) is to ensure people with disabilities have an equal opportunity to participate in basic civic activities and everyday events, such as going to a restaurant or movie, shopping at a mall, or simply attending a high school sports event with friends and family. People with disabilities who cannot use a toilet should have access to universal changing accommodations that provides a safe, sanitary, and private space to be changed and cleaned by a caregiver when participating in civic activities and everyday events.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

KIRBY L. SHAW
Executive Director



STATE OF HAWAII
HAWAII STATE PUBLIC LIBRARY SYSTEM
'OIHANA HALE WAIHONA PUKE AUPUNI O KA MOKU'ĀINA O HAWAII
OFFICE OF THE STATE LIBRARIAN
44 MERCHANT STREET
HONOLULU, HAWAII 96813

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Tuesday, March 21, 2023

3:00 PM

Conference Room 225

**By Stacey A. Aldrich
State Librarian**

H.B. 1145 H.D.1 RELATING TO EQUITY

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

The Hawaii State Public Library System (HSPLS) **supports the intent and provide comments** on H.B. 1145 H.D.1, which requires all public accommodations and state building construction constructed after December 31, 2023, to provide universal changing accommodations in public restrooms.

The HSPLS supports the intent of this measure, but requests that the Committee consider realistic project timelines when applying this requirement to State building projects, like public libraries. Not taking realistic timelines into account may require significant change orders to redesign a previously finalized design and/or add delays to the project construction schedule.

The HSPLS supports the intent of this measure, but notes that the December 31, 2023 timeline referenced in the definition of "new establishment" means that the measure will apply to buildings that completed final design 1-2 years ago. This may require significant change orders to redesign a previously finalized design and/or add delays to the construction schedule. Instead, we ask the Committee to consider a more reasonable implementation date.

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

HB-1145-HD-1

Submitted on: 3/15/2023 4:09:13 PM

Testimony for GVO on 3/21/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	Written Testimony Only

Comments:

Rainbow Family 808 supports HB1145. Please pass this bill.

Mike Golojuch, Sr., Secretary/Board Member



March 15, 2023

Senator Angus McKelvey, Chair

Senator Mike Gabbard, Vice Chair

Testimony to the Senate Committee on Government Operations

Tuesday, March 21, 2023; 3:00 pm. State Capitol, Conf. Room 225 & Videoconference

RE: House Bill 1145 HD1 – RELATING TO EQUITY

Aloha Chair McKelvey, Vice Chair Gabbard, and Members of the Committee:

On behalf of the Epilepsy Foundation of Hawaii (EFH), we urge your **SUPPORT of House Bill 1145 HD1, RELATING TO EQUITY**. This bill supports providing universal changing accommodations in all places of public accommodation and state building construction after 12/31/23.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of the at least 3.4 million Americans with epilepsy and seizures. Epilepsy Foundation of Hawaii, advocates and provides services for the almost 14,000 individuals living with epilepsy throughout Hawaii. Collectively, we foster the wellbeing of children and adults affected by seizures through research programs, educational activities, advocacy, and direct services. Epilepsy is a medical condition characterized by seizures, which are sudden surges of electrical activity in the brain, that affects a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy, and approximately 1 in 10 people will experience a seizure, at some point in their lifetime.

Epilepsy is a chronic medical problem that for many people can be successfully treated. Unfortunately, treatment doesn't work for everyone. AT LEAST 1 million people in the United States have uncontrolled epilepsy, which is considered a disability by the Social Security Administration (SSA). Epilepsy does not discriminate. It can affect anyone at any age, gender, ethnicity, or size, and is often times a comorbidity with other disease states. For many, their epilepsy is debilitating.

Universal changing stations are height adjustable and support weights up to 300+ pounds, alleviating the challenge of caregivers having to navigate changing kupuna, adults and older children with disabilities either in their cars or unsafe and unsanitary spaces. Universal changing stations in state and federal buildings would establish equity for people who need a safe and sanitary space to change incontinent supplies and will ensure inclusion and continuity in community engagement in public spaces.

On behalf of the Epilepsy Foundation of Hawaii and our Board of Directors, we humbly thank you for the opportunity to testify and urge your **SUPPORT of House Bill 1145 HD1**.

Mahalo nui loa,

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at epilepsy.com/advocacy.**



Naomi Manuel

Naomi Manuel
Executive Director
Epilepsy Foundation of Hawaii

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at epilepsy.com/advocacy.**

HB-1145-HD-1

Submitted on: 3/15/2023 5:13:22 PM

Testimony for GVO on 3/21/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Testifying for Stonewall Caucus of the Democratic Party of Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Senators,

The Stonewall Caucus of the Democratic Party of Hawai‘i; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization fully supports HB 1145 HD 1.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH

HB-1145-HD-1

Submitted on: 3/16/2023 9:28:38 PM

Testimony for GVO on 3/21/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Wast of Tax payer Moneys and we wont Vote for any one who push this!!!!!!

HB-1145-HD-1

Submitted on: 3/16/2023 2:19:48 AM

Testimony for GVO on 3/21/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Support	Written Testimony Only

Comments:

Definitely support...would allow informed decision on this issue and fair consideration and ways to accommodate the concerns raised by Jake Ishikawa, a junior student at Kapolei High School. Computer science/applications seem to touch every aspect of our life, from farms, to fixing cars, to receiving health care, to applying for jobs, etc. It seems that like financial literacy, computer literacy is a necessity. I would also comment that as a senior citizen, I have been challenged to learn new modernized ways of doing things, else be left behind. I do not want that for our children; we have to equip them with 21st century skills.. Please pass this bill.

HB-1145-HD-1

Submitted on: 3/16/2023 8:47:39 AM

Testimony for GVO on 3/21/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Kern	Individual	Support	Written Testimony Only

Comments:

March 16, 2023

Aloha Chair McKelvey, Vice Chair Gabbard, and Committee Members,

My name is Sarah Kern and I am a resident of Lihue, Kauai. I am testifying in strong support of HB1145 which requires all places of public accommodation and state building construction after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

People who have multiple and complicated disabilities as well as our kupuna around the state need universal changing stations in our public restrooms. Those with physical disabilities are limited when it comes to using a bathroom that can accommodate their needs. The baby changing tables that currently exist in many public facilities are too small for elderly or wheelchair-bound adults and adolescents who may need to have their incontinence supplies changed. This bill would ensure that going forward, future restrooms are built to be more inclusive and accessible to all.

Thank you for the opportunity to testify in support of this bill.

Mahalo nui loa,

Sarah Kern

HB-1145-HD-1

Submitted on: 3/16/2023 3:35:15 PM

Testimony for GVO on 3/21/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikki-Ann Yee	Individual	Support	Written Testimony Only

Comments:

I am testifying in strong support of HB1145 which requires all places of public accommodation and state building construction after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

While bathrooms have become more accessible to families by providing baby changing accommodations, they are not suitable for all, especially the elderly and wheelchair-bound adults and adolescents. This bill would ensure that going forward, future restrooms are built to be more inclusive and accessible to all.

Mahalo for the opportunity to testify in support of this bill.

HB-1145-HD-1

Submitted on: 3/20/2023 2:13:33 PM

Testimony for GVO on 3/21/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Gibson-Viviani	Individual	Support	Written Testimony Only

Comments:

Dear Chair McKelvey, Vice-Chair Gabbard and Members of the Committee,

My name is Wendy Gibson-Viviani and I'm an RN that has lived in Oahu for 30 years. I am writing in strong support for HB1145.

I want to support the families and caregivers of people with disabilities that require changing facilities so that they can participate in as many activities and outings as possible. Currently changing stations are only available for children, but adults may need them too. I encourage changing stations for adults in new construction.

Please help this good idea become reality by passing HB1145. Thank you.

Wendy Gibson-Viviani RN/BSN

Kailua

(808) 321-4503