



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
February 13, 2024

The Honorable Senator Angus L.K. McKelvey, Chair
Senate Committee on Government Operations
The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Health and Human Services
The Thirty-Second Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813


Dear Senator McKelvey, Senator San Buenaventura, and Committee Members:

SUBJECT: SB2688 RELATING TO INFORMATION ACCESSIBILITY

The Hawaii State Council on Developmental Disabilities **SUPPORTS SB2688**, which establishes the Access Hawai'i Advisory Committee to advise the Access Hawai'i Committee on how to improve accessibility to government information for people with diminished access to government information arising from disabilities. Requires the Access Hawai'i Committee to review the recommendations of the Access Hawai'i Advisory Committee, implement appropriate action to improve access to the government, and include in its annual report the Access Hawai'i Advisory Committee's recommendations and the Access Hawai'i Committee's actions relative to the Access Hawai'i Advisory Committee's recommendations.

This legislation is essential for ensuring that all residents of Hawaii, including those with inadequate access to government information due to disabilities, can fully participate in civic life and access the resources and services provided by the government. Establishing the Access Hawai'i Advisory Committee will provide a platform for individuals with disabilities to voice their concerns and recommendations regarding information accessibility, thus ensuring that their needs are adequately addressed and accommodated.¹

In Hawaii, like many other places, individuals with disabilities often face significant barriers when trying to access government information. This can include challenges related to physical

[1] Kraus, L. (2010). Barriers to access to government information for people with disabilities. *Government Information Quarterly*, 27(4), 369-376. doi:10.1016/j.giq.2010.04.002 

[2] Lazar, J., Dudley-Sponaugle, A., Greenidge, K., & Bowden, B. (2015). Improving Web accessibility: A study of Webmaster perceptions. *Government Information Quarterly*, 32(2), 162-168. doi:10.1016/j.giq.2015.02.001

The Honorable Senator Angus L.K. McKelvey, Chair
Senate Committee on Government Operations
The Honorable Senator Joy A. San Buenaventura
Senate Committee on Health and Human Services
February 13, 2024
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accessibility, such as navigating government websites that are not designed with accessibility features for individuals with visual impairments or other disabilities. Additionally, individuals with cognitive or developmental disabilities may encounter difficulties understanding complex government documents or forms. By establishing the Access Hawai'i Advisory Committee, we can work towards identifying and addressing these barriers, thus ensuring that individuals with disabilities have equal access to government information and services.²

The Access Hawai'i Advisory Committee will play a crucial role in advising the Access Hawai'i Committee on strategies to improve information accessibility and in monitoring the implementation of these strategies. By reviewing the recommendations of the Advisory Committee and taking appropriate actions to enhance access to government information, the Access Hawai'i Committee can ensure that Hawaii remains at the forefront of efforts to promote accessibility and inclusion for individuals with disabilities. This commitment to accessibility aligns with the values of equity and social justice that are fundamental to our state's identity.

Thank you for the opportunity to submit testimony in **support of SB2688.**

Sincerely,



Daintry Bartoldus
Executive Administrator



DISABILITY AND COMMUNICATION ACCESS BOARD

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

February 13, 2024

TESTIMONY TO THE SENATE COMMITTEES ON GOVERNMENT OPERATIONS, AND HEALTH AND HUMAN SERVICES

Senate Bill 2688 – Relating to Information Accessibility

The Disability and Communication Access Board (DCAB) supports the intent of Senate Bill 2688 – Relating to Information Accessibility.

This bill establishes the Access Hawaii Advisory Committee to advise the Access Hawaii Committee on how to improve accessibility to government information for people with diminished access to government information arising from disabilities.

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. This bill will help ensure people with disabilities are still able to access government programs and services when they move online.

DCAB suggests amending the bill by adding the Executive Director of DCAB as a member of the Access Hawaii Committee.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW
Executive Director

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
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To: Senate Committees on Government Operations and on Health
and Human Services

From: Cheryl Kakazu Park, Director

Date: February 13, 2024, 3:45 p.m.
State Capitol, Conference Room 225

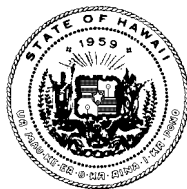
Re: Testimony on S.B. No. 2688
Relating to Information Accessibility

Thank you for the opportunity to submit testimony on this bill, which would create an Access Hawaii Advisory Committee to make recommendations on improving access to government information for people with disabilities. The Office of Information Practices (OIP) offers comments on this bill.

OIP appreciates this measure's focus on improving accessibility for published government information by creating a group whose primary focus and expertise would be that issue. This is a far better approach than seeking to directly write accessibility requirements into the Sunshine Law (part I of chapter 92) or another law designed with a purpose other than setting accessibility standards. OIP would be happy to help publicize and communicate to boards and agencies the recommended practices developed under SB 2688.

Thank you for considering OIP's testimony.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

February 12, 2024

TO: The Honorable Senator Angus L.K. McKelvey, Chair
Senate Committee on Government Operations

The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Health & Human Services

FROM: Cathy Betts, Director

SUBJECT: SB 2688 – RELATING TO INFORMATION ACCESSIBILITY.

Hearing: February 13, 2024, 3:45 p.m.
Conference Room 225, State Capitol & Video Conference

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the measure, requests clarification, and defers to the Department of Accounting and General Services (DAG) and the Disability Access & Communication Board (DCAB).

PURPOSE: This bill establishes the Access Hawaii Advisory Committee to advise the Access Hawaii Committee on how to improve accessibility to government information for people with diminished access to government information arising from disabilities. Requires the Access Hawaii Committee to review the recommendations of the Access Hawaii Advisory Committee, implement appropriate action to improve access to the government, and include in its annual report the Access Hawaii Advisory Committee's recommendations and the Access Hawaii Committee's actions relative to the Access Hawaii Advisory Committee's recommendations.

February 12, 2024

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The Department of Human Services agrees that government information, including access to notices, meetings, and online services, should be accessible to all of Hawaii's residents. However, DHS requests clarification regarding creating an additional administrative process for an advisory committee that seems similar in function to DCAB's current duties and functions per section [348F-3](#), Hawaii Revised Statutes.

Thank you for the opportunity to provide comments in support of this measure.



HAWAI‘I CIVIL RIGHTS COMMISSION **KOMIKINA PONO KIWILA O HAWAI‘I**

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 · PHONE: (808) 586-8636 · FAX: (808) 586-8655 · TDD: (808) 586-8692

Tuesday, February 13, 2024

3:45pm

Conference Room 225 & Videoconference
State Capitol, 415 South Beretania Street

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

The Honorable Joy. A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Members of the Senate Committee on Health and Human Services

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

Re: S.B. 2688

The Hawai‘i Civil Rights Commission (HCRC) supports the intent of S.B. 2688 and offers these comments, which establishes an advisory committee to advise the Access Hawaii Committee on how to improve accessibility to government information for people with disabilities.

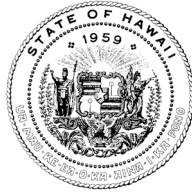
The HCRC has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment (Chapter 378, Part I, HRS), housing (Chapter 515, HRS), public accommodations (Chapter 489, HRS), and access to state and state-funded services (section 368-1.5, HRS). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

Access to government information is essential in our society, however, even with technological advances and sunshine laws, barriers still exist for individuals with disabilities attempting to access information released by government agencies. Barriers may include an unreasonable amount of time

needed to access governmental information and time needed to sort through relevant and irrelevant information. This bill would work to address these issues for individuals with disabilities by establishing an advisory committee to improve accessibility to government information with diminished access due to and/or resulting from disabilities. The advisory committee would be made up of individuals who have experience with diminished access to government information arising from disabilities and the executive director of the Disability and Communications Access Board and a designee from the Department of Health and Human Services.

The HCRC supports the intent of S.B. 2688 in that it seeks to improve accessibility to government information and recognizes the challenges that individuals with disabilities may have in accessing information.

JOSH GREEN, M.D.
GOVERNOR



DOUGLAS MURDOCK
CHIEF INFORMATION
OFFICER

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Written Testimony of
DOUGLAS MURDOCK
Chief Information Officer
Enterprise Technology Services

Before the
SENATE COMMITTEE ON GOVERNMENT OPERATIONS AND THE COMMITTEE ON HEALTH
AND HUMAN SERVICES
TUESDAY, FEBRUARY 13, 2024

SENATE BILL 2688 RELATING TO INFORMATION ACCESSIBILITY

Dear Chairs McKelvey and San Buenaventura, and Vice Chairs Gabbard and Aquino, and members of the committees:

The Office of Enterprise Technology Services (ETS) supports the intent of SB2688 to improve accessibility to government information for people with diminished access to government information arising from disabilities. ETS offers a few comments on the bill.

ETS believes that we do not need to create another committee, the Access Hawaii Advisory Committee, to advise the existing Access Hawaii Committee regarding compliance and accessibility goals which can be driven by AHC itself by adopting and passing any needed standards. ETS and the Access Hawaii Committee have been very responsive to requests regarding accessibility of websites.

Accessibility of official State of Hawaii websites is of paramount importance to serving all citizens and enhancing that level of service in an increasing online environment. ETS strives to conform with Federal Section 508 and the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA standard to measure accessibility and functionality of on-line content.

We suggest adding the Chairperson of the Disability and Communications Access Board under the Department of Health as a member of the Access Hawaii Committee to provide guidance on further accessibility.

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

SB-2688

Submitted on: 2/12/2024 2:52:58 PM

Testimony for GVO on 2/13/2024 3:45:00 PM

Submitted By	Organization	Testifier Position	Testify
james gashel	Testifying for National Federation of the Blind of Hawaii	Support	In Person

Comments:

Testimony of James Gashel

Submitted for National Federation of the Blind of Hawaii

Joint committee hearing

Committee on Government Operations (GVO), and

Committee on Health and Human Services (HHS)

Hawaii State Senate

Thirty-second Legislature, regular session of 2024

February 13, 2024, 3:45 PM, hearing on SB2688

Good afternoon chairs, vice chairs, and members. I am James Gashel, representing National Federation of the Blind (NFB) of Hawaii, testifying to support SB2688. Thank you for scheduling this hearing.

The purposes of this bill are to establish the access Hawaii advisory committee to advise the access Hawaii committee on how to improve accessibility to government information for people with diminished access to government information arising from disabilities; and require the access Hawaii committee to review the recommendations of the access Hawaii advisory committee, implement appropriate action to improve access to the government, and include in its annual report the access Hawaii advisory committee's recommendations and the access Hawaii committee's actions relative to the access Hawaii advisory committee's recommendations.

I am blind and use a screen reader to access the E-Hawaii web portal and all other websites. I also represent the National Federation of the Blind of Hawaii to present our collective lived experience.

If SB2688 is passed, the advisory committee will give us a way to raise concerns relating to lack of accessibility as they arise. Nothing like this exists at present, but it should.

I am also a member, appointed by the governor, to serve on the Statewide Voters with Accessibility Needs Advisory Committee. This advisory committee helps to make the Office of Elections aware of improvements needed to make the election processes more accessible to persons with disabilities. The law creating this election advisory committee was passed in 2021, and the committee was formed in 2022. As a result, it's now clear that Hawaii ranks among the top states in responding to disability access needs of voters in our state. The same can be true with access to other state services and information if SB2688 is passed.

One thought you may consider is to give the advisory committee a name to more clearly express its mission. My suggestion is: "Disability Access Advisory Committee," or "Advisory Committee on Disability Access." Either title will help to explain what this committee does relative to the Access Hawaii Committee.

SB2688 says disability access counts. We, members of the NFB of Hawaii agree and urge approval of this bill. Mahalo for your consideration.

PETER L. FRITZ
Attorney at Law
EMAIL: PLFLEGIS@FRITZHQ.COM

Senate Committee on Government Operations
Honorable Angus L.K. McKelvey, Chair
Honorable Mike Gabbard, Vice Chair

Senate Committee on Health and Human Services
Honorable Joy A. San Buenaventura, Chair
Honorable Henry J.C. Aquino, Vice Chair

RE: **Testimony in Opposition to SB 2688**
Hearing: February 13, 2024 at 3:45 p.m.

Dear Chairs, Vice Chairs and Members of the Committees and all:

My name is Peter Fritz. I am an attorney, an individual with a disability and an advocate for individuals with disabilities who has filed several accessibility complaints against the State. I am testifying **in OPPOSITION** to SB 2688 because the Act 172 Workgroup is already working on development of statewide standards for accessibility. Another committee not necessary.

This bill would establish an advisory committee to advise the Access Hawaii Committee on how to improve accessibility to government information for people with disabilities.

The recommendations of the committee created under this bill would be limited because the duties of the Access Hawaii Committee (AHC) are to oversee the activities of the State of Hawaii's official Internet Portal Manager. This means that the proposed advisory committee's recommendations would be limited to activities and operation of the State of Hawaii's official Internet Portal.

A new advisory group is not necessary because a workgroup was created by Act 172 in 2022 to develop statewide accessibility standards. The Workgroup is chaired by Enterprise Technology Services (ETS). The Workgroup's purpose is to develop statewide electronic information technology accessibility standards for all state entities which would include the State's official Internet Portal. The formation of another committee proposing accessibility standards would delay the Act 172 standards because any standards proposed by the new committee created under this bill would require a review by the Act 172 Workgroup. While the Act 172 Workgroup has developed draft standards, the committee proposed in this bill has yet to start its work.

It has been said that too many cooks spoil the broth. Too many committees involved in proposing standards can ruin the development of uniform statewide standards and can result in a hodgepodge of conflicting standards and proposals that make compliance

Peter L. Fritz
Testimony in Support of SB 26388
Hearing February 13, 2024 at 3:45 p.m.
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impossible for State agencies. ETS has the knowledge and experience to develop the standards and ETS should continue to lead and the Act 172 Workgroup to develop a single and uniform accessibility standard for all state entities.

I respectfully request that this bill be held.

Thank you for the opportunity to testify.