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STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
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TRISTA SPEER
DEPUTY DIRECTOR
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April 9, 2024

To: The Honorable Representative Amy A. Perruso, Chair
House Committee on Higher Education & Technology

FROM: Cathy Betts, Director

SUBJECT: **SCR 5 – URGING THE PROMPT IMPLEMENTATION OF THE HAWAII ELECTRONIC
INFORMATION TECHNOLOGY ACCESSIBILITY ACT ON OR BEFORE DECEMBER 31,
2024**

Hearing: April 12, 2024, 2:00 p.m.
Conference Room 309, State Capitol & Video Conference

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this resolution and defers to the Office of Enterprise Technology and the Disability and Communication Access Board on its implementation and resource needs.

PURPOSE: The purpose of this resolution is to urge the prompt implementation of Act 172, Session Laws of Hawaii 2022 (Act 172), on or before December 31, 2024. Requests and advises the Chief Information Officer to submit a report to the Legislature no later than thirty days prior to the Regular Session of 2025, describing the status of implementation of Act 172 and making any recommendation for future legislation needed to ensure the State's electronic information technology meets or exceeds federal accessibility standards.

DHS agrees that implementing Act 172, as a result of the work of the Office of Enterprise Technology in consultation with the Disability and Communication Access Board and a working group composed of stakeholders, is essential to ensuring that all residents, including individuals

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with disabilities, will have equal access to goods, services, benefits, education, and employment opportunities provided by state entities.

Thank you for the opportunity to provide comments on this resolution.



DISABILITY AND COMMUNICATION ACCESS BOARD

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April 12, 2024

TESTIMONY TO THE HOUSE COMMITTEE ON HIGHER EDUCATION AND TECHNOLOGY

Senate Concurrent Resolution 5 – Urging the Prompt Implementation of the Hawaii
Electronic Information Technology Accessibility Act on or Before December 31, 2024

The Disability and Communication Access Board (DCAB) supports Senate Concurrent
Resolution 5 – Urging the Prompt Implementation of the Hawaii Electronic Information
Technology Accessibility Act on or Before December 31, 2024.

The Hawaii Electronic Information Technology Accessibility Act requires the Office of
Enterprise Technology Services to issue the Hawaii Electronic Information Technology
Access Standards. These standards will ensure that people with disabilities have equal
access to government programs and services. Issuance of the standards on or before
December 31, 2024 is reasonable.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW
Executive Director

SCR-5

Submitted on: 4/11/2024 11:50:09 AM

Testimony for HET on 4/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
CIO Doug Murdock	Hawaii Office of Enterprise Technology Services	Support	Written Testimony Only

Comments:

Hawaii Office of Enterprise Technology Services is in support of the resolution.

Testimony of James Gashel
Submitted for National Federation of the Blind of Hawaii
Committee on Higher Education and Technology (HET)
Hawaii State House of Representatives
Thirty-second Legislature, regular session of 2024
April 12, 2024, 2:00 PM, hearing on SCR5

Aloha chair Perruso, vice chair Kapela, and members. I am James Gashel, representing National Federation of the Blind (NFB) of Hawaii, testifying in strong support of SCR5. Thank you for scheduling this hearing.

This resolution, SCR5, is about implementation of Act 172 (SLH 2022), called the Hawaii Electronic Information Technology Accessibility Act. Act 172 is a very good law, but it's only a promise right now. It needs to be implemented. The bill was signed on June 27, 2022. The effective date is upon approval.

Act 172 says its purpose is to "require the Office of Enterprise Technology Services in consultation with the Disability and Communication Access Board and a working group composed of stakeholders, to develop and publish electronic information technology accessibility standards to be implemented by all state entities."

The Office of Technology and DECAB are expected to get together and convene a working group of stakeholders to then develop standards; which begs the questions, who are the stakeholders on the working group, and how's it going with the standards?

The resolution says it's been more than eighteen months since Act 172 became law. That's right, but it's now been twenty months and counting; which begs other questions, how long does the legislature have to wait for a law like this to be implemented? How long do the people have to wait?

It's sad to know that the lack of required accessibility standards now stands in the way of other bills on accessibility from advancing in the legislature. This year the Senate Government Operations and HHS committees deferred action on SB2688, concerning a state website, and the House Judiciary and Hawaiian Affairs committee deferred action on HB1975, concerning accessible public documents, both because the legislature first needs to see the standards expected from Act 172 before considering related bills.

I know we're the Aloha state. I guess that's why resolutions like this tend to "urge," when you really feel like saying "demand," instead. Act 172 is law, and compliance is not voluntary. You shouldn't have to pass a resolution to persuade the government to implement a law.

That said, the resolution is important by expressing the legislature's expected timeline to implement Act 172 by the end of 2024. Mahalo for your consideration.

SCR-5

Submitted on: 4/10/2024 9:20:36 AM

Testimony for HET on 4/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Rush	Individual	Support	Written Testimony Only

Comments:

I support this resolution.

Testimony of Donald Sakamoto
Committee on Higher Education and Technology (HET)
Hawaii State House of Representatives
Thirty-second Legislature, regular session of 2024
April 12, 2024, 2:00 PM, hearing on SCR5

Good afternoon Chair Perruso, Vice Chair Kapela, and members. I am Donald Sakamoto, testifying in strong support of SCR5. Thank you for scheduling this hearing.

This resolution is important to me. As a blind individual I often find that I can't read or use many state documents or websites. I truly thought that these things would have been improve when bill SB2144 was passed two years ago in 2022 to establish in having the Hawaii Electronic Information Technology Accessibility Act however, nothing has changed so far yet.

The main intent of the law was to require the Office of Enterprise Technology Services in having discussions with the Disability and Communication Access Board and a working group composed of stakeholders, to develop and publish electronic information technology accessibility standards.

From what I have learned so far is that the hold-up appears to be the Office of Enterprise Technology Services. I am truly frustrated that nothing has been happening since 2022 and that the legislature needs to know about this and hold this agency accountable .

This resolution is truly important and must be passed. We definitely need to prepare in having the tech accessibility standards implemented now not later. Famous “by failing to prepare, you are preparing to fail” by Benjamin Franklin. Mahalo for considering SCR5 and I urge you all to prepare to do the right thing, and move this resolution forward for this session.

SCR-5

Submitted on: 4/10/2024 1:43:15 PM

Testimony for HET on 4/12/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Clifford Miyashiro	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Perruso, Vice Chair Kapela, and members. I am Clifford Miyashiro testifying in strong support of SCR5. Thank you for scheduling this hearing.

This resolution is important to me. I often find I can't read or use many state documents or websites. I thought things would improve when the Hawaii Electronic Information Technology Accessibility Act was passed in 2022, but nothing has changed so far.

Brandon Young

4/10/2024

Testimony of Brandon Young

Committee on Higher Education and Technology (HET)

Hawaii State House of Representatives

Thirty-second Legislature, regular session of 2024

April 12, 2024, 2:00 PM, hearing on SCR5

Dear Chair and Vice Chair,

My name is Brandon Young, and I am a member of the National Federation of the Blind of Hawaii. I am in support of this resolution. We are here to make sure that the Office of Enterprise and Technology Services (ETS) creates and enacts standards for accessibility in technology for those who are blind or visually impaired. It is a shame that we have to enact a resolution at the legislature to get the state to do their job. This resolution is in connection to a law that was passed to enact standards to state technology to make these products accessible for those with disabilities. As a blind person, I face many issues with accessibility when interacting with the state technology. One example of the burdens that we face with accessibility and technology was the changes that were made to the State Capitol website for this legislation session. At the beginning of the session, the blind that use screen readers were not able to successfully submit their testimony on the Capitol website. I hope this example describes the type of burdens that those who are blind or visually impaired have to face in our society. Our society exists on the use of technology on a daily basis. If you are not able to access important parts of your community because of your disability, then this is a problem that needs to be fixed. I hope that passing this resolution will help to change this problem. I thank you for your time in hearing our resolution. I would urge that you pass this resolution. This resolution will definitely help those who are blind or visually impaired here in Hawaii.

Testimony of Ann Lemke
Committee on Higher Education and Technology (HET)
Hawaii State House of Representatives
Thirty-second Legislature, regular session of 2024
April 12, 2024, 2:00 PM, hearing on SCR5

Aloha Chair Perruso and Vice Chair Kapela and committee members

I want to express my strong support for SCR5 which urges implementation of the information and technology accessibility act by the end of 2024.

I fully support testimony offered by the National Federation of the Blind of Hawaii. To date, I am not aware of any proposed language to implement the law that was passed in 2023. Whether DCAB or the Office of Enterprise Management has not made observable progress on information access issues in Hawaii, those of us with print disabilities are still experiencing frequent access obstacles.

Your attention to this vital issue is important. Without full and timely access to state websites, my civic participation is hampered.

Ann Lemke, Ph.D.