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

AGENDA

Legislative Committee Meeting

Location: Disability and Communication Access Board
1010 Richards Street., Room 118
Date: March 13, 2019
Time: 12:00 p.m.

I. Call or Order

II. Introductions

III. Approval of March 6, 2019 Meeting Minutes

IV. Legislative Strategy/Positions Relating to Bills

V. Legislative Positions and Update

- A. Parking for Persons with Disabilities
- B. Nondiscrimination Against Persons with Disabilities/Civil Rights
- C. Communication Access
- D. Service Animals for Persons with Disabilities
- E. Building Code/Design
- F. Community Based Services for Persons with Disabilities
- G. Emergency Preparedness
- H. Administrative
- I. Other

VI. Open Forum
Public comment on issues not on the agenda, for consideration for Committee's agenda at the next meeting

VII. Next Meeting
Wednesday, March 20, 2019 at 12:00 p.m. at 1010 Richards Street, room 118

VIII. Adjournment

If you need an auxiliary aid/service or assistance due to a disability, please contact Cindy Omura at (808) 586-8121 or email dcab@doh.hawaii.gov by March 15, 2019. If a request is received after March 15, 2019, we will try to obtain the auxiliary aid/service or assistance but cannot guarantee that the request will be fulfilled. This notice is available in alternate format such as large print, Braille or electronic copy, upon request.

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MINUTES

Legislative Committee Meeting

Location: Disability and Communication Access Board
1010 Richards Street., Room 118
Date: March 13, 2019
Time: 12:00 p.m.

PRESENT: Rosanna Daniel-Kanetake, Chairperson; Anthony Akamine, Monty Anderson-Nitahara (via phone), Violet Horvath (via phone), Board Members; Francine Wai, Debbie Jackson, Jeanette Hendrickson, DCAB Staff

ABSENT: Dean Georgiev, Board Member

GUEST: Peter Fritz

I. Chairperson Rosanna Daniel-Kanetake called the meeting to order at 12:01 p.m.

II. All Committee members, staff and guest introduced themselves.

III. The minutes of the March 6, 2019 meeting were approved as circulated (M/S/P Akamine/Horvath).

IV. Legislative Strategy/Positions Relating to Bills

- HCR 77/HR 75 – Requesting the Department of Transportation to Convene a Task Force to Establish Better Safety Conditions at Crosswalks and Report on Recommended Locations and Potential Costs to Implement Pedestrian Activated Safety Signals at Mid-Block Crossings.

  ACTION: **SUPPORT** (Include persons with disabilities on the task force.)

- HCR 91/SCR 200 – Requesting the Public Utilities Commission to Approve a Subsidy through Utility Rates for Reasonable Ratemaking Treatment to Lessen the Burden of Energy Costs on Low- and Limited-Income and Special Medical Needs Customers.

  ACTION: **SUPPORT** (Related to low- and limited-income status as a special medical needs customer with high electrical usage.)

- HCR 113/HR 105 – Convening the Multiple Languages Emergency Notification Working Group.

  ACTION: **COMMENT**

- HCR 115 – Requesting the Legislative Reference Bureau to Establish a Task Force to Review Hawaii's Current Voter Education System and Propose Improvements.

  ACTION: COMMENT

- HCR 121/HR 111 – Requesting the City and County of Honolulu Prohibit Electric Scooters, Electric Bicycles, and Electric Tricycles on Sidewalks.

  ACTION: COMMENT

- HCR 130/HR 120/SCR 120/SR 90 – Requesting the Hawaii Development Disabilities Council to Convene a Working Group to Coordinate All Services Provided to Individuals with Intellectual and Developmental Disabilities and Their Families.

  ACTION: MONITOR

- HCR 145/HR 134 – Urging the Department of Human Services to Conduct a Full Study on the Reimplementation of Adult Dental Services for Hawaii Residents Who are Medicaid Enrollees and Submit a Report to the Legislature.

  ACTION: MONITOR

- HCR 177/HR 159 – Requesting the Department of Health and Department of Human Services to Conduct a Study on Whether the Dental and Medical Services Offered by the State are Adequate to Provide a Basic Standard of Care for Residents with Disabilities.

  ACTION: MONITOR

- HCR 192/HR 173/SCR 141/SR 108 – Requesting the Department of Education to Accept the National Orientation and Mobility Certification for Teachers Providing Orientation and Mobility Services.

  ACTION: MONITOR

- SCR 127/SR 97 – Requesting the Department of Health, Department of Human Services, Department of Education, and Department of the Attorney General to Convene an Interdepartmental Working Group to Address the Lack of a Consolidated, Consistent Vision Screening Program in Public Schools for Children in the State.

  ACTION: MONITOR

V. Legislative Positions and Update

A. Parking for Persons with Disabilities

- SB 1236, SD 2 – Relating to Parking for Disabled Persons. Clarifies that the exemption from payment of parking fees is an exception for drivers who are unable to reach or operate a parking meter or unattended pay

station because of a physical disability, and who display a disabled paid parking exemption permit. Clarifies that the time limits for the parking fee exemption applies to unattended pay stations as well as meters. Makes the unauthorized act of selling or buying a disability parking permit a misdemeanor. Provides that law enforcement may confiscate a disability parking permit that has been altered or is invalid. Clarifies the types of disabilities that qualify for a disability parking permit. Effective 7/1/2050.

UPDATE: Heard in the House Committee on Human Services and Homelessness and amended to remove the wording related to who is exempted from paying parking meters. Returned to wording similar to HB 696, HD1. Triple referral to HSH, JUD and FIN.

- HB 696, HD2 – Relating to Parking for Disabled Persons. Limits the exemption from parking fees to drivers with a disability who are unable to operate a parking meter or pay station because of the driver's disability and who display a distinguishing parking device, code, permit, or decal. Clarifies time limits applicable to the exemption. Prohibits the unauthorized sale or purchase of disability parking placards and special license plates. Clarifies authority of enforcement officers to confiscate placards and special license plates for violations of requirements for manufacture, sale, purchase, or use. Allows advanced practice registered nurses to make a determination regarding a person's mobility.

  UPDATE: Received a double referral in the Senate to TRS, JDC/WAM. TRS hearing scheduled for March 15, 2019.

B. Nondiscrimination Against Persons with Disabilities/Civil Rights

- SB 660 – Relating to State Civil Identification Cards. Creates a non-compliant identification card for individuals that are not able to provide an updated photograph and documentation in-person as required by the REAL ID Act of 2005.

  UPDATE: Referred to the House Committee on Judiciary and had a hearing on March 11, 2019 with decision making scheduled for March 18, 2019 at 2:00 p.m.

  POSITION: SUPPORT

- HB 168 – Relating to Electronic Transmission of Ballots. Authorizes a voter with special needs to request that a ballot be forwarded by electronic transmission at any time.

  UPDATE: Referred to the Senate Committee on Judiciary on March 12, 2019 and was amended to add clarification about the meaning of "voter with special needs."

  POSITION: SUPPORT - COMMENTS

- SB 947, SD1 – Relating to Families. Prohibits the disability of a parent or caregiver from being the sole factor in determining fitness as a foster parent, adoptive parent, guardian, parent seeking custody or visitation, or provider of a safe family home.

  UPDATE: Received a double referral to HSH, JUD. House Committee on Human Services and Homelessness scheduled a hearing on March 15, 2019 at 9:00 a.m.

  POSITION: SUPPORT

C. Communication Access

- SB 331 – Relating to Movie Theaters. Makes permanent the requirement for certain motion picture theater owners and operators to provide open movie captioning for at least two showings per week, one of which occurs on a Saturday or Sunday. Repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

  UPDATE: Referred to three committees - LAB, JUD, FIN. House Committee on Labor and Public Employment hearing scheduled for March 14, 2019 at 9:00 a.m.

  POSITION: SUPPORT

- HB 1009, HD1 – Relating to Movie Theaters. Requires a movie theater to provide at least two showings per week per movie offered with open movie captioning. Removes the option of a movie theater to provide eyewear to fulfill the movie captioning requirement. Makes the requirement permanent by repealing the sunset date from Act 39, Session Laws of Hawaii 2015.

  UPDATE: Referred to two committees – CPH, JDC. CPH hearing is scheduled for March 15, 2019.

  POSITION: SUPPORT

- HB 469, HD1 – Relating to Hearing Aids. Requires health insurance policies and contracts issued after 12/31/19 to provide coverage for the cost of hearing aids for each hearing-impaired ear every thirty-six months in their base plans.

  UPDATE: Received a single referral the Senate Committee on Commerce, Consumer Protection and Health. Hearing scheduled for March 14, 2019 at 9:00 a.m.

  POSITION: SUPPORT

D. Service Animals for Persons with Disabilities

- SCR 9 – Requesting the Department of Human Services to Examine the Implementation of Act 217, Session Laws of Hawaii 2018, Regarding Misrepresentation of Service Animals.

UPDATE: Heard and amended in the joint Senate Committees on Human Services and Judiciary and passed out on February 20, 2019. Adopted and transmitted to the House on March 5, 2019.

POSITION: OPPOSE - COMMENT

E. Building Code/Design

- SB 1, SD2 – Relating to Housing. Establishes the ALOHA homes program under the Hawaii Housing Finance and Development Corporation (HHFDC) to facilitate the development of low-cost homes for sale to Hawaii residents on state-owned and county-owned land near rail stations of the Honolulu rail transit system, to be known as the urban redevelopment district. Establishes guidelines within the urban redevelopment district and provisions related to the sale of leasehold interest of ALOHA homes. Exempts lands to which HHFDC holds title and land set aside or leased to HHFDC from the definition of public lands in section 171-2, HRS, except for purposes of accounting for receipts from ceded lands. Establishes and appropriates funds into and out of the ALOHA homes revolving fund. Authorizes HHFDC to sell the leasehold interest in residential condominium units located on state lands for lease terms of 99 years. Effective 7/1/2050.

UPDATE: Received a triple referral to HSG/TRN/WLH, JUD/LAB, FIN. The first joint committee hearing is scheduled on March 14, 2019 at 10:30 a.m.

POSITION: COMMENTS

F. Community Based Services for Persons with Disabilities

No bills were discussed in this category.

G. Emergency Preparedness

No bills were discussed in this category.

H. Administrative

No bills were discussed in this category.

I. Other

- SB 530, SD2 – Relating to the General Excise Tax. Exempts from the general excise tax gross receipts from the sale of mobility enhancing equipment, hearing aids, prosthetic devices, and prescription drugs sold pursuant to a doctor's prescription. Amends the definition of "prosthetic device" to include devices worn on the body. Applies to taxable years beginning after 12/31/2050.

UPDATE: Received a double referral to HLT, FIN. Hearing in the House Committee on Health scheduled for March 14, 2019 at 9:00 a.m.

POSITION: SUPPORT

NOTE: All positions taken on the bills were approved by the Committee unless otherwise noted (M/S/P Horvath/Akamine).

VI. Open Forum
No comments were made from the guest.

VII. The next meeting is tentatively scheduled after second crossover on Tuesday, April 9, 2019 at 12:00 p.m. at 1010 Richards Street, room 118. Having a meeting depends on whether any of the bills with DCAB positions need to be changed prior to bills going to Conference Committee.

VIII. The meeting adjourned at 1:00 p.m.

Respectfully submitted,

Debbra L. Jackson

DEBBRA L. JACKSON