AGENDA

Disability and Communication Access Board
Legislative Committee Meeting

Location: Virtual Location Via Zoom
Date: December 15, 2020
Time: 12:00 p.m.

To join by PC or mobile device, click on the link below or copy and paste it into your browser window:
https://zoom.us/j/91056716876?pwd=Uk5EMHM0eWtZZXhnY0RkL21ZbVVQUT09
Meeting ID: 910 5671 6876

To join by phone: dial 1 669 900 6833 and enter Meeting ID 910 5671 6876

To join by Relay Conference Captioning, click on the link below:

I. Call to Order

II. Introductions

III. Approval of November 12, 2020 Meeting Minutes

IV. New Business
   A. Proposed Legislative Position Statements for 2021 Legislative Session

V. Next Meeting

VI. Adjournment

If you need an auxiliary aid/service or other accommodation due to disability, contact Cindy Omura at (808) 586-8121 or dcab@doh.hawaii.gov as soon as possible, preferably by December 10, 2020. If a response is received after December 10, 2020, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.
MINUTES

Disability and Communication Access Board
Legislative Committee Meeting

Location: Virtual Location Via Zoom
Date: December 15, 2020
Time: 12:00 p.m.

PRESENT: Rosanna Daniel-Kanetake, Chairperson; Anthony Akamine, Violet Horvath, Board Members; Kirby Shaw, Staff

ABSENT: Dean Georgiev, Board Member

GUEST: Peter Fritz

I. Chairperson Rosanna Daniel-Kanetake called the meeting to order at 12:06 p.m.

II. Board members and staff introduced themselves.

III. Approval of November 12, 2020 Meeting Minutes

The Committee considered the minutes of its November 12, 2020 meeting that were presented for approval to the full Board at the General meeting on November 17, 2020. At that meeting, the Board approved a motion to, in part, send the draft minutes back to the Committee for amendment to include comments made by guest Peter Fritz and approval. Guest Peter Fritz offered the wording below as an amendment to the draft minutes.

Guest Peter Fritz brought up concerns about meetings that would be continued after being delayed because of technical difficulties and accessibility of meeting material.

The Committee voted to approve the draft minutes of the November 12, 2020 Legislative Committee meeting as amended per the wording offered by guest Peter Fritz (M/S/P Horvath/Akamine).

Kirby Shaw will have the notes from Peter Fritz sent to the Committee members.

IV. New Business

A. Proposed Legislative Position Statements for 2021 Legislative Session
The Committee members noted that the draft legislative position statements appeared to be similar to the 2020 position statements. Kirby Shaw explained that the measures were the same as last session except for a couple of new items because the session was incomplete and therefore many of the measures may be introduced again. He went on to discuss the two new measures that are likely to be introduced; DCAB’s bill to fund the parking program and the bill to amend the Sunshine Law to make permanent the option for boards and commissions such as DCAB to hold virtual meetings.

Guest Peter Fritz commented that the position statement calling for support of legislation to restore the authority of the Hawaii Civil Rights Commission (HCRC) to accept complaints against State agencies that receive federal funding may not apply this session. This is because the HCRC may not seek reintroduction due to a lack of funding to implement the program if the bill passes.

The Committee members agreed that new measures would probably be added to the position statements as bills are introduced. In addition, the Committee members expressed comfort with the items from the last session and did not need to discuss each one.

A motion was made to accept the draft legislative position statements for the 2021 Legislature and to recommend their adoption by the full Board at its January meeting, with the understanding that the Legislative Committee will meet to discuss any new measures that arise during the legislative session (M/S/P Horvath/Daniel-Kanetake).

V. Next Meeting

The next meeting is tentatively scheduled for Tuesday, January 26, 2021, at 12:00 p.m.

VI. The meeting adjourned at 12:58 p.m.

Respectfully submitted,

KIRBY L. SHAW
Due to the rapid pace of the Legislature and short testimony deadlines that do not always allow for bringing a measure to the attention of the DCAB Legislative Committee, the following position statements will facilitate the timely preparation and submittal of testimony on bills and resolutions during the 2021 Legislature.

The following is not an exhaustive list of issues and positions. It is based on consistency of positions taken on similar issues during the most recent Legislative sessions. In addition, there are two new measures that will be introduced.

Parking

- Support the “Dollar Bill” to fund DCAB’s parking program.
- Oppose legislation to revert to “free meter parking” for all permit holders.
- Support legislation to increase the minimum number of parking spaces for persons with disabilities.
- Support legislation to improve enforcement, provided that law enforcement is able to implement the provisions.
- Oppose legislation to issue disability parking permits to people solely on the basis of vision loss, pregnancy, age, developmental or mental disability, behavioral, or other non-mobility related condition.
- Oppose legislation to issue disability parking permits to agencies or transportation companies.

Non-discrimination Against Persons with Disabilities/Civil Rights

- Support legislation to restore jurisdiction to the Hawaii Civil Rights Commission to enforce complaints under §368-1.5, HRS in state and county government.
- Support legislation for the provision of reasonable modification of policies, practices and procedures in state government programs and services to provide for equal access for persons with disabilities (this could impact many different programs).
• Oppose legislation for separate identification cards for people with disabilities in addition to a driver's license or a state identification card.

• Provide comments on the provision of state government services to ensure that the needs of persons with disabilities are taken into consideration without supporting or opposing the underlying service.

• Provide comments on the process of voting to ensure that the needs of persons with disabilities are taken into consideration.

• Support legislation that requires the house and senate to permit remote testimony, via telephone, at public hearings.

**Communication Access**

• Support legislation to maintain or increase captioning provisions in movie theaters; oppose efforts to reduce requirements established in the law.

• Support efforts to include increased access to on-line state information (to include, but not be limited to website accessibility, social media platforms, and digital information provide through kiosks or other similar means) with funding for implementation.

**Service and Other Animals**

• Support state legislation to clarify state law to be consistent with federal law, but not to exceed federal law in areas such as certification or licensure. Support the interest of individuals with service animals (dogs) when considering legislation to eliminate discriminatory inquiries or practices when entering places of public accommodation.

• Support the interest of individuals with service animals (dogs) when considering legislation to eliminate discriminatory inquiries or practices when entering places of public accommodation.

• Oppose expansion of service animal legislation to assistance animals or other emotional support animals in settings other than housing already required under federal and state law.

**Building Code, Design, and Facility Access**

• Support legislation to increase building accessibility for persons with disabilities that exceed federal guidelines for entities covered by Titles II and III of the ADA.

• Oppose legislation that would require DCAB to perform tasks that DCAB staff has no expertise.

**Community Based Services and Employment**
• Support legislation to increase reimbursement for hearing aids.

• Support legislation to require the department of human services (DHS) to establish a Medicaid buy-in program for workers with disabilities.

Transportation and Mobility

• Support legislation following the “DCAB Guiding Principles on the Mobility and Safety of Pedestrians with Disabilities” and “DCAB Guiding Principles on Public Transit Fixed Route Bus and Paratransit Services.”

Emergency Preparedness

• Support legislation to ensure the inclusion of persons with disabilities in emergency preparedness efforts; including planning, exercises, notifications, emergency sheltering, and mitigation and recovery efforts.

Administration

• Support legislation consistent with facilitating the operation of DCAB as a Board or Commission.

• Oppose legislation that would change the status of the DCAB Special Fund.

Other

• Support legislation to exempt or reduce general excise tax on the sale of mobility enhancing equipment or durable medical equipment, hearing aids, prosthetic devices, and prescription drugs sold pursuant to a doctor’s prescription when the basis for the acquisition of the item is due to a person’s disability.

• Support legislation that includes a representative from DCAB on a task force if the bill or resolution includes a position above and only if there’s adequate staffing to attend and participate in meetings. Oppose the legislation if the criteria above are not met.