



DISABILITY AND COMMUNICATION ACCESS BOARD

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MINUTES Legislative Committee Meeting

Location: Virtual via Zoom and 1010 Richards Street, Room 118
Date: December 19, 2023
Time: 10:00 a.m. to 11:00 a.m.

PRESENT: Anthony Akamine, Violet Horvath, Summer Kozai, Board Members; Kirby Shaw, Bryan Mick, Staff

ABSENT: Dean Georgiev, Chairperson; Rosanna Daniel-Kanetake, Board Member

GUESTS: Peter Fritz, Donald Sakamoto

I. Chairperson pro tem Violet Horvath called the meeting to order at 10:10 a.m.

II. Board members, staff, and guests introduced themselves.

III. Kirby Shaw reported that no testimonies were submitted.

IV. DCAB Legislative Procedures

A. Review of DCAB Legislative Position Statements and Determine Subject Matter Categories for 33rd Legislature, 2024 Bills

Bryan Mick reported that the 2024 legislative position subject matter categories are the same as the 2023 subject matter categories:

- Parking for Persons with Disabilities
- Nondiscrimination Against Persons with Disabilities/Civil Rights
- Communication Access
- Service and Other Animals
- Building Code, Design, and Facility Access
- Community Based Services and Employment
- Transportation and Mobility
- Emergency Preparedness
- Administration
- Other

The Committee voted to approve the 2023 legislative positions statements and subject matter categories (M/S/P Akamine/Kozai).

B. Determining Types of Positions to Take on Bills

Bryan Mick reported that the types of positions to take on bills are the same as last year.

- Support – DCAB supports the bill’s subject matter without suggesting changes. Requires written testimony.
- Support Intent – DCAB supports the concept of the bill and suggests changes. Requires written testimony.
- Oppose – DCAB is against the concept of the bill and suggest amendments to the bill. Requires written testimony.
- No Position – Comments – DCAB staff understands and empathizes with the intent of the bill and offers comments about how to amend the bill. Requires written testimony.
- Monitor – DCAB staff tracks the bill and if necessary, brings to the Committee when the bill may have an impact on the disability community. No written testimony required.

The Committee voted to approve the types of positions to take on bills (M/S/P Akamine/Kozai).

C. Authorizing testimony for official unamended companion bills and resolutions when the Legislative Committee has previously taken a stance on the sibling bill or resolution.

Bryan Mick explained that in the past, DCAB has failed to place on an agenda a companion bill or resolution, resulting in a scenario where the Board supports a bill in one chamber but not the other. Staff is asking the Committee to authorize staff to submit testimony if the Committee has adopted a position on a companion bill. Guest Peter Fritz commented that there are often nearly identical bills which are not designated as companion bills. The Committee voted to approve staff submitting testimony on bills or resolution which are functionally identical to a bill or resolution that the Committee has previously taken a stance on (M/S/P Akamine/Kozai).

V. Rule on Time Limits on Public Testimonies/Comments

Bryan Mick explained that DCAB’s full Board and several Committees’ have adopted a three minute oral time limit with the caveat that anyone requiring additional time due to a disability would be afforded it. Kirby Shaw suggested having the time limit as two minutes due to the time constraints the Committee faces. The Committee voted to adopt the rule (M/S/P Akamine/Horvath).

VI. Legislative Bills (bill number are still pending)

A. DCAB Combo Parking Bill

Bryan Mick explained this bill authorizes the suspension of a person’s driver’s license for using a deceased permittee’s parking permit, remits fifty percent of all fines imposed from citations to the agencies that issued the citations, and authorizes the counties to adopt ordinances relating to the enforcement of accessible parking space design requirements at places of public accommodation. The bill will be part of the Governor’s package.

Guest Peter Fritz asked what due process protections are contained in the bill in regard to suspending a driver’s license. Bryan Mick replied that this bill simply adds an additional reason a license may be suspended by the county

examiners of drivers. DCAB assumes they must have a due process procedure in place for the existing reasons.

B. DCAB Travel Placard Bill

Bryan Mick explained this bill authorizes DCAB to issue a travel parking placard to a permittee for use at their destination.

Board member Anthony Akamine asked if this is for visitors to Hawaii or for a Hawaii resident who are traveling. Bryan Mick replied it is for Hawaii residents who are traveling away from their home island. Guest Donald Sakamoto asked what the procedures are when someone is traveling and their placard gets lost or stolen, and inquired what the fee for the travel placard was predicted to be. Bryan Mick replied a fee had not been discussed. Currently if someone is traveling to a neighbor island and loses their placard, they can obtain a replacement at any county issuing site. If they are out of state, they cannot obtain a Hawaii replacement placard via the mail. Guest Peter Fritz commented that it may not be legal to charge a fee for the travel placard.

C. Budget Bill

Kirby Shaw explained staff is recommending that DCAB request funding of DCAB's Communication Access/Information Technology Specialist position. This position will assist State agencies to comply with the forthcoming Hawaii State Technology Standards and Department of Justice's standards. It is not included in the Governor's budget request, so DCAB would have to appeal directly to legislators of the money committees. Guest Peter Fritz commented that the Federal Standards won't be adopted for a few years.

The Committee voted to support the DCAB Parking Combo Bill and the Travel Placard Bill (M/S/P Akamine/Horvath).

The Committee voted to support requesting the Legislature amend the budget bill to include funding for DCAB's Communication Access/Information Technology Specialist position (M/S/P Akamine/Horvath).

VII. Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting

Guest Peter Fritz commented that the Committee should start looking at bills which are going to be proposed by the Hawaii Civil Rights Commission, the Kupuna Caucus, and the Deaf Blind Task Force.

Guest Donald Sakamoto commented that he is hoping to get bills introduced that relate to the State mobility management plan which is outdated. The bill provides for coordinators in each county as well as the state level, so securing a funding source is part of the challenge.

VIII. Open Forum

Guest Peter Fritz commented that the accommodation language used on today's agenda is not the updated suggested language found in the DCAB Program and

Services Manual. He also mentioned that he submitted an accommodation request yesterday morning to the email listed on the agenda but did not receive a response. Kirby Shaw replied that both of the staff who have access to the general email were out on leave yesterday. Board member Violet Horvath suggested a new email address for accommodation requests could be created. Guest Peter Fritz suggested the instructions could simply instruct someone to put "accommodation request" in the subject line of their email.

IX. Next Meeting and Meeting Schedule

Bryan Mick suggested the Committee meet twice a week or once a week for longer than one hour, in an effort to ensure the Committee takes a stance on bills before they are heard. The Committee members favored meeting longer once a week but wanted staff to solicit the opinion of the absent Board members.

The next Committee meeting is scheduled for January 24, 2024 beginning at 12:00 p.m. and ending at 2:00 p.m.

X. The meeting adjourned at 11:10 a.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/

BRYAN K. MICK