



DISABILITY AND COMMUNICATION ACCESS BOARD

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DRAFT MINUTES **Legislative Committee Meeting**

Location: 1010 Richards Street, Room 118 and via Zoom
Date: May 22, 2024
Time: 10:00 a.m.

PRESENT: Violet Horvath, Chairperson; Anthony Akamine, Summer Kozai, Charlotte Townsend, Committee Members; Kirby Shaw, Bryan Mick, Elizabeth Pearson, Staff

ABSENT: Rosanna Daniel-Kanetake, Committee Member

GUESTS: Gita Nofieka Dwiiavati, Peter Fritz, Alberto Perez

- I. Chairperson Violet Horvath called the meeting to order at 10:05 a.m.
- II. The attendees introduced themselves with Committee members Violet Horvath, Summer Kozai, Charlotte Townsend and Anthony Akamine present.
- III. Statement from Public and Written Testimonies Submitted

Bryan Mick reported no testimony was received.
- IV. Approval of Legislative Committee Meeting Minutes of March 18, 2024.

The March 18, 2024, Legislative Committee meeting minutes were approved as circulated (M/S/P Townsend/Akamine).
- V. Update on 2024 Legislative Session (adjourned May 3, 2024)
 - A. Metrics - Number of bills and resolutions on which DCAB took a position, number of written testimonies submitted, and number of hearings at which staff testified.

Bryan Mick reported that between bills that carried over and bills on which the Committee took a position this session, there were 316 bills and resolutions on which DCAB took position, 153 written testimonies were submitted, and staff provided oral testimony at 14 hearings. Five bills were passed and signed into law by the Governor, and 20 more are under his consideration. There were 14 resolutions or Governor's Messages that were passed or adopted. Because next year is the first year of the two-year Biennium cycle, we will be starting at zero.

The metrics were similar to those of previous years. One surprise noted by staff was that the universal changing tables bill did not pass. The hope is to revisit that next year.

Kirby Shaw shared that our Facility Access Coordinator, Rodney Kanno, was asked by Governor Green's housing advisor to meet with them to learn about DCAB's Hawaii Revised Statutes §103-50 process. He also reported that they suggested a new DCAB Board member to represent Kauai.

Bryan Mick added that this opportunity was utilized to suggest that housing should go beyond the minimum accessibility standards. All testimony on housing that was provided by DCAB this session emphasized the need to go beyond minimum accessibility standards, because of its importance for individuals with disabilities and their families.

Guest Peter Fritz shared that there is a renovation tax credit allowing people to take credit for the accessibility renovations made. This was adopted before the year 2000. Board member Charlotte Townsend shared that she has tried to use this tax credit, which was quite cumbersome.

B. Update on final action taken on bills relating to DCAB programs.

1. HB 2446 HD2 / SB 3135 SD1 - Relating to Parking for Disabled Persons. Authorizes the Examiner of Drivers to suspend the driver's license of a person who violates certain regulations relating to the use of disability parking permits. Authorizes each county to enact ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with the ordinances. Remits 50 percent of any fine for a violation of HRS 291 Part III to the agency which issues the citation.

Bryan Mick reported that the House version of this bill made it to Conference Committee but did not reach full agreement. The sense is that the fifty percent remittance of the fine was the hold up. The Parking Committee will need to decide if they want to move forward with a similar bill next year minus the fifty percent provision.

Staff will send a letter to the Director of the Department of Law Enforcement to request a meeting to obtain advice and recommendations regarding establishing or expanding the county Volunteer Special Enforcement Officer programs.

2. HB 2447 HD1 / SB 3136 – Relating to Parking for Disabled Persons. Establishes a disability travel placard to be issued to an existing permittee for use at the travel destination.

Bryan Mick reported that this bill passed the House but did not get heard by the Senate – there were no objections that we are aware of.

3. SB 3290 SD2 – Relating to American Sign Language. Requires the Disability and Communication Access Board to convene a working group to study the state of American Sign Language in Hawaii.

Bryan Mick reported this bill is currently on the Governor's desk, staff officially recommended that he sign it. He is under the impression that there is no opposition, and Governor Green should sign it, so we will start to think about how we will set up the working group – we will confer with the Ethics Commission to confirm the definition of “working group” and rules that the working group will need to follow.

Chairperson Violet Horvath suggested that if there is a signing for this bill, as many staff and members as possible should attend with the intention of educating legislators about the studies already done to encourage more action on the shortage of American Sign Language Interpreters.

Guest Peter Fritz commented that there was a Civil Beat article referencing that the interpreter program at Kapiolani Community College does not have enough support to develop enough interpreters. This study can help highlight the program and funding support issues.

C. Update on final action taken on other bills on which DCAB took a position.

1. HB 1580 HD1 – Relating to Animal Cruelty. Amends the penalty for causing injury or death to a service animal from a felony Class C to a Class B, and for intentional interference with the use of a service animal from a misdemeanor to a felony Class C.

Bryan Mick reported that this bill died in the Senate, but he does anticipate a return next session.

2. HB 1598 HD1 – Relating to the Sunshine Law. Requires board meeting packets to be available 2 business days before the meeting instead of 48 hours before.

Bryan Mick reported that this bill passed and was signed by the Governor. It went into effect two days ago.

3. HB 1675 HD1 – Relating to the General Excise Tax. Beginning 1/1/2025, exempts medical services provided by physicians and advanced practice registered nurses acting in the capacity of a primary care provider from the general excise tax.

Bryan Mick reported that this bill did not pass, but he anticipates seeing something similar resurface next year.

4. HB 1699 – Relating to General Excise Tax. Exempts food and medical services from the general excise tax. However, does not extend the food exemption to people who receive supplemental security income benefits, or disability or blindness payments under Title I, II, X, XIV, or XVI or the Social Security, persons sixty years of age or over and persons who are physically or mentally handicapped or otherwise disabled that they are unable to adequately prepare all of their meals, meals prepared for and delivered to them and their spouses at their home by a public or private nonprofit organization or by a private establishment that contracts with the appropriate state agency to perform such services at concessional prices; or disabled or blind recipients of benefits under Title I, II, X, XIV, or XVI or

the Social Security Act (42 U.S.C. 301 et seq., 401 et seq., 1201 et seq., 1351 et seq., 1381 et seq.), who are residents in a public or private nonprofit group living arrangement that serves no more than sixteen residents and is certified by the appropriate state agency or agencies, meals prepared and served under such arrangement.

Bryan Mick reported that this bill did not pass, but he anticipates seeing something similar resurface next year.

5. HB 1889 HD1 – Relating to Workers Compensation Medical Benefits. Expands workers' compensation medical benefits for firefighters to include coverage for breast cancer and cancer of the female reproductive organs.

Bryan Mick reported that this bill is currently with the Governor, and DCAB advised him to sign it.

6. HB 1977 HD1 / SB 2750 – Relating to Braille Literacy. Establishes state policy to promote Braille literacy for blind students. Requires the individualized education programs of blind students to include the instruction of Braille and provision of Braille instructional materials under certain circumstances. Requires the Department of Education to establish a Braille Literacy Resource Center.

Bryan Mick reported that this bill died, but he would not be surprised to see a similar bill proposed again in the future.

7. SB 2503 SD2 – Relating to Equity. Requires all places of public accommodation and state building constructions constructed after 12/31/24 to provide universal changing accommodations that are equally accessible regardless of gender. Requires state building construction projects that are bid after 6/30/2025 to include universal changing accommodations that are equally accessible regardless of gender, when doing so is feasible and cost effective.

Bryan Mick reported that this bill did not pass. Staff had concerns regarding the definition of "efficient and cost effective". He suspects a return of a similar bill. Kirby Shaw shared that a bill of this nature may take some time to educate legislators about the need for an accommodation such as this.

8. SB 3002 SD1 – Making an Appropriation to Implement the Recommendations of the Task Force on Mobility Management, Established Pursuant to Act 214, Session Laws of Hawaii 2013. Makes an appropriation to the Department of Transportation to implement the recommendations of the statewide Mobility Management Task Force, established pursuant to Act 214, Session Laws of Hawai'i 2013, in consultation with the Aging and Disability Resource Center of the Executive Office on Aging and other stakeholder groups.

Bryan Mick reported that this bill did not pass. There was some uncertainty by the Hawaii Department of Transportation on this bill as the counties provide much of the mobility related services.

V. Open Forum

Guest Peter Fritz commented on HB 2482 Relating to Posting Notices. The only place to see posted agendas is on the State calendar online. This bill has been transmitted to the Governor.

VI. Next Meeting

Bryan Mick commented that the make-up of the Legislative Committee for next year is unknown and suggested forgoing the scheduling of a meeting at this time. However, he suggested that next year's Committee should get a head start before the session starts as it did this past session.

VII. Chairperson Violet Horvath adjourned the meeting at 10:50 a.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

ELIZABETH PEARSON