

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: Senate Committee on Judiciary and Labor

From: Cheryl Kakazu Park, Director

Date: February 23, 2017, 9:15 a.m.
State Capitol, Conference Room 016

Re: Testimony on S.B. No. 1277, S.D. 1
Relating to Public Agency Meetings

Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices ("OIP") opposes this bill, which would allow boards to use a recording in lieu of written minutes, based on concerns that the bill sets no standard for the level of detail required in the written summary of minutes and thus may make it more difficult for the public to quickly find out important information about what happened at a meeting. OIP further agrees with the concerns expressed by other testifiers that audio minutes would need to be accompanied by a written transcript to meet ADA concerns, particularly if they were required to be placed online as proposed in other pending measures, and thus the recorded format would be no more efficient than written minutes.

Thank you for the opportunity to testify.



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

February 23, 2017

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR

Senate Bill 1277, SD1 – Relating to Public Agency Meetings

The Disability and Communication Access Board (DCAB) is a statewide Governor-appointed Board with a majority of its members being persons with disabilities or family members. The Board's mission is to advocate and promote full inclusion, independence, equal access, and quality of life for persons with disabilities in society. This testimony represents a position voted upon by the Legislative Committee of the Board

DCAB opposes Senate Bill 1277, SD1 Relating to Public Agency Meetings which will allow the minutes of public agency meetings to be kept by written or recorded means. Using minutes to monitor what occurs during a state board or commission meeting is a quick and easy means to monitor what happens at the meeting and how members voted on agenda items. If a meeting is recorded by either in digital or analog formats, it would still need to be made to be accessible to an individual with a disability. If someone conducts a presentation for the meeting and shows a video, the video would need to include captions for a person who is deaf and audio description for an individual who is blind or visually impaired. Until a means is found to make a video or audio recording accessible to individuals with disabilities, the meeting would not be accessible to a person with a disability.

Providing equal access to board and commission meetings for the public must include accessibility for people with disabilities. Including this in the planning process is often more cost effective to satisfy the requirements under Title II of the Americans with Disabilities Act (ADA). Without provision of equal access for everyone, including people with disabilities, this bill would not comply with the ADA.

Thank you for the opportunity to testify.

Respectfully submitted,

Handwritten signature of Barbara Fischlowitz-Leong in black ink.

BARBARA FISCHLOWITZ-LEONG
Chairperson
Legislative Committee

Handwritten signature of Francine Wai in black ink.

FRANCINE WAI
Executive Director