



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

March 12, 2019

TESTIMONY TO THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS

House Bill 1153, HD1 - Relating to Remote Testimony in Legislative Hearings

The Disability and Communication Access Board (DCAB) supports and offers comments on House Bill 1153, HD1 Relating to the Remote Testimony in Legislative Hearings which requires both chambers of the Legislature to establish rules for livestreaming public hearings and informational briefings at the State Capitol to the public through remote testimony.

This bill would allow more ways for individuals, including individuals with disabilities to be included in the Legislative process. Under the Americans with Disabilities Act (ADA) livestreaming public hearings and informational briefings need to be accessible to individuals with disabilities. This bill does not specify that the rules will include procedures to address the inclusion of people of people with disabilities. Livestreaming will need to include captioning for people who are deaf or hard of hearing. Is the current network or system at the Capitol equipped to provide the service?

We suggest including an advisory group of individuals with a variety of disabilities to collaborate by offering suggestions to the rules for presenting accessible livestreaming of public hearings and informational briefings. We are willing to assist with suggesting names of individuals who may be willing to participate on such an advisory group. There are also other service providers and agencies serving people with disabilities who may be able to suggest individuals with disabilities to assist in the development of remote technology. Including people with disabilities at the planning phase will allow for the development of a more holistic approach that will work for the entire community.

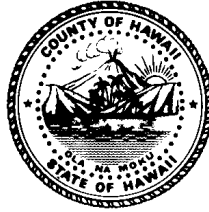
Funding to pay for equipment or means to provide real time captioning of the livestreamed public hearings and informational briefings, as well as auxiliary aids and services (sign language interpreters and/or notetakers) for individuals with disabilities to participate in an advisory group should be included in the appropriation of this bill. The amount is dependent on the cost for live captioning services of the hearings and informational briefings and how many times the advisory group meets and the length of the meetings.

Thank you for this opportunity to testify.

Respectfully submitted,

FRANCINE WAI
Executive Director

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

March 11, 2019

Senator Laura H. Thielen, Chair
Senator Lorraine R. Inouye, Vice Chair
Committee on Government Operations

Dear Chair Thielen, Vice Chair Inouye, and Committee Members:

RE: HB 1153, HD1 Relating to Remote Testimony in Legislative Hearings

Article I, Section 1, of the Constitution of the State of Hawai'i provides that "All political power of this State is inherent in the people and the responsibility for the exercise thereof rests with the people." In that spirit, and over the course of its history, the Hawai'i State Legislature has been dedicated to assuring citizen participation in its activities, and has often been at the forefront of innovations that enhance that participation and make it more effective.

Technology has now reached the point where persons with disabilities, residents of rural Oahu, and neighbor island residents, can be enabled to more fully participate in the legislative process without experiencing inconvenient, expensive and/or time-consuming travel to the Capitol. Exactly how that should be done, without jeopardizing the need for an expeditious legislative process, may require further thought and deliberations, and that is exactly what HB 1153, HD1 would allow. HB 1153, HD1 does not presuppose a method, but neither is it just another "study." Truly action oriented, it mandates the outcome that remote testimony shall be allowed, and then leaves it to each house to figure out the details. That is the kind of balance that this Legislature is known for and can be proud of.

An earlier generation of Hawai'i leaders recognized that all residents of the State deserve equal educational opportunities, regardless of where they live. Now today's generation of leaders is better assuring that all have equal access to their government. Thank you for taking this next step.

I hope you will approve HB 1153, HD1.

Respectfully Submitted,

Harry Kim
MAYOR

HB-1153-HD-1

Submitted on: 3/8/2019 3:49:58 PM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Testifying for Democratic Party of Hawaii, Hawaiian Affairs Caucu	Support	No

Comments:

The Hawaiian Affairs Caucus and the Oahu County Committee Affirmative Action Committee stand in solidarity with our parent organization, the Democratic Party of Hawaii in support of HB1153, HD1, Relating to Remote Testimony in Legislative Hearings. Utilizing 21st century technology should enable better transparency and accountability by the Hawaii State Legislature and inclusive and equal participation by "all" citizens of Hawai'i.



Tuesday, March 12, 2019

House Bill 1153 HD1
Testifying in Support

Aloha Chair Thielen, Vice Chair Inouye, and Members of the Committee on Government Operations,

The Democratic Party of Hawaii (The Party) stands in **support of HB1153 HD1 Relating to the Legislature**, which establishes a Remote Legislative Access Program to allow for the submission of testimony remotely and appropriates funds.

The Party understands that in order to have a more engaged public, we must ensure that everyone has access to the legislative process. While it is true that any member of the public can theoretically submit testimony in writing, that is not always the case. It requires computer and internet access, the capacity to follow directions, the ability to read and write, and various other supports. We also know that oftentimes the most compelling testimony is that which is given in person, sitting across from their Representatives and Senators.

Beyond just the written testimony, the ability for members of the public to testify face to face and voice to voice should be the guiding principle for public hearings. Yet for too long this has not been the case. Individuals living on islands other than Oahu face steep time and financial challenges to make their cases heard. This, on top of potentially having to take time off from work, those separated by an ocean from their state elected officials presents immense challenges to fair and equal access.

And those with disabilities face more daunting impediments to equal access to provide in-person testimony.

According to the Americans with Disabilities Act (ADA), a “qualified individual with a disability” means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.”

Also from the ADA; “subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason or such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

Persons with disabilities are guaranteed the right against discrimination.

Insurance companies in Hawaii, including MedQuest, recognize that when a neighbor island resident is required to fly for treatment to an island on which they don't reside, that it can be stressful. This is why the insurance companies pay for a companion or caregiver plane ticket so that the person has support during the process.

It is an undue hardship for many residents of Hawaii to attend Public Hearings in person. This is why creating and funding a Remote Legislative Access Program is a priority for the Party. It is time to truly create access for all.

When it comes to discerning the best ways to spend our State's limited finances, we hope that creating equal access for all people to participate in their democracy, is high in the priority list.

For these reasons we urge to vote favorably on this bill.

Mahalo for the opportunity to testify,



Josh Frost
Co-Chair, Legislation Committee
Democratic Party of Hawai'i



Zahava Zaidoff
Co-Chair, Legislation Committee
Democratic Party of Hawai'i

Chair Thielen
Vice Chair Inouye
Senate Committee on Government Operations

Tuesday, March 12, 2019
2:45 PM

**TESTIMONY IN STRONG SUPPORT OF HB1153 HD1 RELATING TO REMOTE
TESTIMONY IN LEGISLATIVE HEARINGS**

Aloha Chair Thielen, Vice Chair Inouye, Members of the Senate Committee on Government Operations,

My name is Jun Shin. I am a freshman at the University of Hawai‘i at Mānoa, and I currently serve as an executive committee member of the Young Progressives Demanding Action (YPDA). I am testifying as **an individual in strong support of HB1153 HD1 relating to remote testimony in legislative hearings.** As a supporter of more small “d” democracy in our public institutions, I appreciate that our state already has in place the Public Access Room and the Capitol website to submit testimony. These resources help guide advocates, both young and old through the process, and make participating in our local democracy a lot more easier. I can attest to that personally.

Although I personally have the privilege of having relative accessibility to the Capitol, I have seen citizen advocates who I respect tremendously on the neighbor islands constantly have to fly over to Honolulu, to lobby and testify. This can be hard for them for a variety of reasons, including cost, personal scheduling conflicts, and if your a parent and have to take care of your kid/kids. By taking on the creation of a digital venue for members of the public to send and receive both written, and oral testimony through a remote access program for the legislative process, we can change the game for them. If they aren’t able to come to Honolulu, or even instead of coming to Honolulu, they’ll be able to participate and give testimony on important legislation from their home islands. Speaking of the neighbor islands, I’ve been able to see Maui County’s remote testimony operation through social media livestreams and have been very impressed with its successes and I really think we can do this here.

Alongside considering the needs and interests of our neighbor island residents, this legislation includes language to make sure that even if you live on O’ahu where the Capitol is, those who live away from the urban core or those who face any barriers due to disabilities, will be considered and represented in this program, expanding the pool of democracy. Making sure these groups are able to participate is seriously important, and will help in bringing more members of the public into the legislative process to be a part of shaping public policy. In conclusion, to continue to strengthen our democracy and to have policy that represents everyone, I **strongly support HB1153 HD1 and request for it to be passed through your committee.**

Thank you for the opportunity to testify,

Jun Shin
1561 Kanunu St.

Cell: 808-255-6663

Email: junshinbusiness729@gmail.com

HB-1153-HD-1

Submitted on: 3/11/2019 8:20:22 AM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tracey Clay-Whitehurst	Individual	Support	No

Comments:

HB-1153-HD-1

Submitted on: 3/11/2019 8:33:39 AM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Marion Ceruti	Individual	Support	No

Comments:

HB-1153-HD-1

Submitted on: 3/11/2019 2:41:13 PM

Testimony for GVO on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments: