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DISABILITY AND COMMUNICATION ACCESS BOARD

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February 20, 2019

TESTIMONY TO THE SENATE COMMITTEE ON WAYS AND MEANS

Senate Bill 337 - Relating to the Legislature

The Disability and Communication Access Board (DCAB) supports and offers comments on Senate Bill 337 Relating to the Legislature, which establishes a Remote Legislative Access Program to allow for the submission of testimony remotely.

This bill would allow more ways for individuals, including individuals with disabilities to participate in the Legislative process by testifying remotely. This provides the Legislature with the unique opportunity to include people with disabilities from the beginning with the planning process. The bill establishes a Remote Legislative Access Program to establish a committee to seek advice and recommendations from experts with knowledge related to remote communications to establish a program to consider different methods of communication, including teleconference and videoconference and to include technologies that will accommodate people who are blind, deaf or hard of hearing. Those are just a few of the types of disabilities that may be impacted by remote technology.

We suggest including feedback from an advisory group of people with a variety of disabilities to collaborate with the Joint Legislative Access Committee. 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 people 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 auxiliary aids and services for individuals with disabilities to participate in an advisory group should be included in the appropriation included in this bill. The amount would be dependent on how many times the advisory group will meet and the length of the meetings.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in blue ink that reads "Francine Wai".

FRANCINE WAI
Executive Director



Wednesday, February 20, 2019

Senate Bill 337
Testifying in Support

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee on Ways and Means,

The Democratic Party of Hawaii (The Party) stands in **support of SB337 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 offer these comments,



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



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

SB-337

Submitted on: 2/18/2019 8:50:47 PM

Testimony for WAM on 2/20/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joel Berg	Individual	Support	No

Comments:

SB-337

Submitted on: 2/17/2019 6:19:33 PM

Testimony for WAM on 2/20/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carlo Barbasa	Individual	Support	No

Comments:

Making ends meet in Hawaii is already difficult enough. Many of us who care about our communities and want to make our voices heard are systematically excluded from the conversation unless we already have the financial backing to not need to work and feed our families.

Remote submissions of testimony will allow more voices to be heard and will bring the government one step closer to having a truer sense of the will of the people represented.

SB-337

Submitted on: 2/17/2019 11:39:57 AM

Testimony for WAM on 2/20/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Fred Delosantos	Individual	Support	No

Comments:

I support SB337. We really need to allow for the Outer Islands to weigh in on testimony. I can't be that only one county has all the say in the State Legislature.

Chair Dela Cruz
Vice Chair Keith-Agaran
Senate Committee on Ways & Means

Wednesday, February 20, 2019
10:05 AM

TESTIMONY IN STRONG SUPPORT OF SB337 RELATING TO THE LEGISLATURE

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, Members of the Senate Committee on Ways & Means,

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 SB337 relating to the legislature**. 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. 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.

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, **I strongly support SB337 and request for it to be passed through your committee.**

Thank you for the opportunity to testify,

Jun Shin
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SB-337

Submitted on: 2/16/2019 9:19:18 PM

Testimony for WAM on 2/20/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Matson	Individual	Support	No

Comments:



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirtieth Legislature, State of Hawaii
The Senate
Committee on Ways and Means

Testimony by
Hawaii Government Employees Association

February 20, 2019


S.B. 337 – RELATING TO THE LEGISLATURE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 337, S.D. 1 which establishes a Remote Legislative Access Program to allow for the public to submit testimony remotely.

Due to the fast-paced legislative timetable, it is often a severe financial hardship for neighbor island residents to actively participate in our democratic process. For example, when the Legislature was considering the privatization of the Maui Region of the Hawaii Health Systems Corporation, employees had to take time off of work, purchase airline tickets – often with only 48-hours notice, and arrange ground transportation to attend and testify in committee hearings. Many of our members chose to expend their valuable time and money to share their expertise and ensure their voices were heard, but we firmly believe many more would have taken advantage of remote testimony technology. We are confident that this same situation is all too familiar for too many neighbor island residents, regardless of the issue at hand. The establishment of a Remote Legislative Access Program ensures equal access to committee hearings no matter where a Hawaii resident resides.

Thank you for the opportunity to testify in support of S.B. 337.

Respectfully submitted,


for Randy Perreira
Executive Director