



DISABILITY AND COMMUNICATION ACCESS BOARD

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February 5, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LEGISLATIVE MANAGEMENT

House Bill 1153 - Relating to Remote Testimony in Legislative Hearings

The Disability and Communication Access Board (DCAB) supports and offers comments on House Bill 1153 Relating to Remote Testimony in Legislative Hearings, which requires each chamber of the Legislature to establish, by rule, procedures for the public to present oral testimony at legislative committee hearings through remote testimony and appropriates funds to carry out the purposes of this act.

This bill would allow more ways for individuals, including individuals with disabilities to participate in the legislative process by testifying remotely. Under the Americans with Disabilities Act (ADA) testifying at legislative committee hearings is a right that all citizens have, including people with disabilities. This bill does not address making the procedures accessible to allow for the inclusion of people from different parts of the community to be allowed to testify.

We suggest including feedback from an advisory group of people with a variety of disabilities to collaborate in developing the rules for presenting remote testimony. 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.

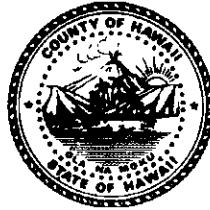
Funding to pay for auxiliary aids and services for individuals with disabilities to participate in an advisory group should be included in the appropriation of this bill. The amount would be dependent on how many times the advisory group will meet and the length of the meetings.

Thank you for this opportunity to testify.

Sincerely,

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

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February 4, 2019

Rep. Ty J.K. Cullen, Chair
COMMITTEE ON LEGISLATIVE MANAGEMENT
Hawai'i State Legislature

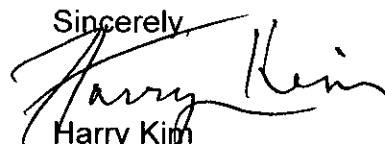
Dear Chair Cullen and Committee Members:

RE: HB1153, RELATING TO REMOTE TESTIMONY IN LEGISLATIVE HEARINGS

Article I, Section 1, of the Constitution of the State of Hawaii 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 Hawaii 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 even more so, 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 would allow. HB 1153 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 Hawaii leaders recognized that all residents of the State deserved equal educational opportunities, regardless where they lived. Now this 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.

Sincerely,

Harry Kim
Mayor



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
House of Representatives
Committee on Legislative Management

Testimony by
Hawaii Government Employees Association

February 5, 2019

H.B. 1153 – RELATING TO THE LEGISLATURE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1153 which requires each chamber of the Legislature to establish procedures for the public to present oral testimony at legislative committee hearings via remote testimony.

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 H.B. 1153.

Respectfully submitted,

Randy Perreira
Executive Director

HB-1153

Submitted on: 2/1/2019 4:24:15 PM

Testimony for LMG on 2/5/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	Yes

Comments:

Aloha Representatives,

The LGBT Caucus of the Democratic Party of Hawaii supports the passage of HB 1153.

Mahalo for your consideration and for the opportunity to testify.

Mahalo,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawaii

HB-1153

Submitted on: 2/4/2019 12:56:18 PM

Testimony for LMG on 2/5/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nako'olani Warrington	Individual	Support	No

Comments:

In STRONG SUPPORT...mahalo!



Tuesday, February 5, 2019

House Bill 1153
Testifying in Support

Aloha Chair Cullen, Vice Chair Nakashima, and Members of the Committee on
Legislative Management,

The Democratic Party of Hawai'i (The Party) **stands in support of HB1153 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.

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