

Honolulu, Hawaii

Feb 10, 2006

RE: H.B. No. 2778
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2778 entitled:

"A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS,"

begs leave to report as follows:

The purpose of this bill is to enhance access to government services for persons with limited English-language proficiency. Among other things, this measure requires all state departments, government agencies and programs, and any other governmental unit to provide language assistance to individuals who face language barriers.

The Victim/Witness Assistance Division of the Department of the Prosecuting Attorney of the County of Maui, Center for Second Language Research, Domestic Violence Clearinghouse and Legal Hotline, Catholic Charities Hawaii, Inter-Agency Council for Immigrant Services, Na Loio Immigrant Rights and Public Interest Legal Center, Region XII Chapter of the National Federation of Filipino American Associations, Gumil Hawaii, Oahu Filipino Community Council, Nursing Advocates and Mentors, Inc., Filipino Social Workers of Hawaii, American Cancer Society, Philippine Nurses Association-Hawaii Chapter, Filipino Coalition for Solidarity, Filipino Women's Civic Club, Filipino Business Women's Association, Laoag City Circle of Hawaii, Sakada Foundation, and concerned individuals testified in support of this bill. The Department of Labor and Industrial Relations (DLIR) and Hawaii Civil Rights Commission (HCRC) supported the intent of this

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measure. The Asian American Network for Cancer Awareness, Research, and Training submitted comments.

Persons who do not speak English as a primary language compose a significant portion of Hawaii's population. Many of these individuals contribute to our economy, educate their children in our schools, and make valuable contributions to the life of our state. However, many individuals with limited English proficiency sometimes have difficulty obtaining services from state agencies because of their limited ability in the English language. Your Committee finds that we must strive to ensure that all residents of Hawaii, including non-English speakers and limited-English speakers, enjoy full access to and participation in the life of our community.

Although Executive Order No. 13166 attempts to improve access to federally conducted and assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency, a number of individuals stated that many state agencies are not complying with this order. This situation is disturbing.

However, your Committee understands the concerns raised by DLIR with respect to the administration of this program being placed within HCRC. While your Committee is uncertain whether this type of program belongs in DLIR, it would like this matter to receive further consideration and respectfully requests the Committee on Judiciary to evaluate the placement of such a program within DLIR.

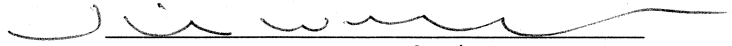
Your Committee has amended this measure by:

- (1) Affirming the Legislature's position that the State of Hawaii must comply with federal Executive Order No. 13166;
- (2) Removing oversight and administration of this program from the HCRC and placing it under the purview of DLIR; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2778, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2778, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,


KIRK CALDWELL, Chair



