

Honolulu, Hawaii

APR - 7 2006

RE: H.B. No. 2778  
H.D. 2  
S.D. 2

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2778, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require the State and covered entities to provide assistance to limited English proficient persons who are eligible for certain state-provided or state-funded programs.

Specifically, the measure:

- (1) Requires the State and covered entities that render services on behalf of the State to ensure meaningful access to services by providing oral and written language services to limited English proficient persons;
- (2) Establishes a Language Access Director position and provides duties and responsibilities;
- (3) Establishes a Language Access Advisory Council to advise the Language Access Director; and
- (4) Appropriates general revenues to staff and maintain positions for the office of the Language Access Director and Language Access Advisory Council.



Federal law requires that state agencies that administer federally sponsored programs must provide certain forms and documents or oral services to persons with limited English proficiency. This measure requires similar assistance to ensure access to state provided or state funded services by limited English proficient persons.

Your Committee has amended this measure by:

- (1) Clarifying that translations of vital documents are to be written translations;
- (2) Changing the term "state entities" to "state agencies", which is more commonly used throughout the Hawaii Revised Statutes to refer to agencies of the State;
- (3) Deleting the limitation of "community" input to clarify that the Language Access Advisory Council's input to the Language Access Director is not limited to "community" input and may include input from the professional and governmental members of the Advisory Council;
- (4) Changing the amount of the appropriation to \$1;
- (5) Changing the effective date to July 1, 2050 for the purpose of continuing discussion on this issue; and
- (6) Making technical nonsubstantive changes for the purpose of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2778, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2778, H.D. 2, S.D. 2.


Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Third Legislature  
State of Hawaii

Record of Votes of the  
Committee on Ways and Means  
(Bills and Resolutions)

Measure:*	Committee Referral:	Date:		
HB 2778 HD2 SD1	TGO/JHW, WAM	4/3/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to:				
<input type="checkbox"/> Pass, unamended (2312)	<input checked="" type="checkbox"/> Pass, with amendments (2311)	<input type="checkbox"/> Hold (2310)		
<input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)		
Nays	Excused			
TANIGUCHI, Brian T. (C)	/			
TSUTSUI, Shan S. (VC)	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
INOUE, Lorraine R.	/			
KANNO, Brian	/			
KIM, Donna Mercado	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SAKAMOTO, Norman	/			
HEMMINGS, Fred		/		
SLOM, Sam		/		
TRIMBLE, Gordon			/	
TOTAL	12	0	2	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Do not list more than one measure per Record of Votes.