

JAN 22 2008

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## A BILL FOR AN ACT

MAKING AN APPROPRIATION TO ESTABLISH A STATEWIDE LANGUAGE BANK.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. According to the 2000 Census, almost 290,000 of  
2 Hawaii's 1.2 million people, or twenty-four per cent of Hawaii's  
3 population, speak a language other than English at home. This  
4 number includes over 250,000 persons who speak an Asian or  
5 Pacific island language. For many, English is not their primary  
6 language, and they often possess a limited ability to read,  
7 write, speak, or comprehend the English language. Language  
8 barriers often prohibit many non-English-speaking residents from  
9 fully participating in the community, and can undermine their  
10 efforts to become self-sufficient and productive in American  
11 society.

12           In 2006, the legislature recognized and acknowledged that  
13 language is a barrier for those living in Hawaii who have  
14 identified themselves as being limited English proficient.  
15 Consequently, the legislature passed Act 290, Session Laws of  
16 Hawaii 2006, which was later codified into sections 371-31  
17 through 37 of the Hawaii Revised Statutes, to ensure that



1 limited English proficient individuals have equal, meaningful  
2 access to state-provided and state-funded services in Hawaii.

3 The language access laws require every state agency, and  
4 any organization that receives state funding and provides  
5 services to the public to establish a language access plan  
6 regarding how the agency or organization will provide equal,  
7 meaningful access of essential government services, such as  
8 social service programs, job training and employment assistance  
9 programs, a fair and impartial hearing, and emergency  
10 assistance, to all of Hawaii's diverse population, regardless of  
11 what language is spoken.

12 By October 2007, plans for seventeen out of twenty-five  
13 state agencies and covered entities were completed. As the  
14 implementation of these language access plans approaches, two  
15 major stumbling blocks prevent the State and covered entities  
16 from providing meaningful access in the form of interpretation  
17 and translation services to limited English proficient  
18 individuals. First, there is no comprehensive system in Hawaii  
19 to identify language interpreters and translators and to provide  
20 referrals to match interpreters or translators to the needs of  
21 organizations and state agencies. Second, Hawaii has a dearth  
22 of competent language interpreters and translators available to



1 assist limited English proficient individuals. These two points  
2 are critical because a key element to the successful  
3 implementation of the language access plans is the availability  
4 of trained and certified interpreters and translators, so that  
5 limited English proficient individuals can receive timely,  
6 meaningful language access assistance to government services.

7 Through the creation of a statewide language access bank,  
8 Hawaii will have a centralized resource that will:

- 9 (1) Maintain a roster of language interpreters and  
10 translators;
- 11 (2) Match and refer language interpreters and translators  
12 to meet the needs of government agencies, nonprofit  
13 organizations, and for-profit organizations;
- 14 (3) Provide and coordinate training to develop language  
15 interpretation and translation skills; and
- 16 (4) Work towards testing and certification of language  
17 interpreters and translators to ensure the quality and  
18 accuracy of their services.

19 After its initial establishment, the language access bank  
20 will be self-sustaining, supported by user fees, subscription  
21 and training fees, and the combined resources of government  
22 agencies, and for-profit and nonprofit organizations.



1           The purpose of this Act is to appropriate moneys for the  
 2 initial funding needed to establish a statewide language access  
 3 bank to be administered by the office of language access within  
 4 the department of labor and industrial relations.

5           SECTION 2. There is appropriated out of the general  
 6 revenues of the State of Hawaii the sum of \$189,500, or so much  
 7 thereof as may be necessary for fiscal year 2008-2009, to  
 8 establish a statewide language access bank to be administered by  
 9 the office of language access within the department of labor and  
 10 industrial relations, to allow state agencies and covered  
 11 entities to provide interpretation and translation services to  
 12 limited English proficient individuals in accordance with  
 13 Hawaii's language access laws.

14           The sum appropriated shall be expended by the department of  
 15 labor and industrial relations for the purposes of this Act.

16           SECTION 3. This Act shall take effect on July 1, 2008.

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INTRODUCED BY:

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**Report Title:**

Department of Labor and Industrial Relations; Office of Language Access; Language Bank; Appropriation

**Description:**

Requests funds for the Office of Language Access under the Department of Labor and Industrial Relations to establish a statewide language bank as a centralized resource for interpretation and translation services for state agencies and covered entities providing language access for limited English proficient persons.

