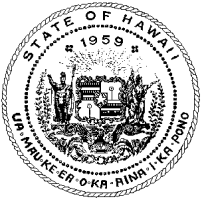


# HB 1740

## HD1

|                          |  |
|--------------------------|--|
| <b>Measure Title:</b>    | RELATING TO LANGUAGE ACCESS.   |
| <b>Report Title:</b>     | Statewide Language Access Resource Center; Multilingual Website Pilot Project; Appropriations (\$)   |
| <b>Description:</b>      | Amends the appropriations provided in Act 217, Session Laws of Hawaii 2013, for fiscal year 2014-2015 for establishment of the statewide language access resource center and establishment of the multilingual website pilot project administered by the Office of Language Access. Effective July 1, 2050. (HB1740 HD1) |
| <b>Companion:</b>        |  |
| <b>Package:</b>          | The Filipino Caucus  |
| <b>Current Referral:</b> | HMS, WAM   |
| <b>Introducer(s):</b>    | MIZUNO, AQUINO, AWANA, CABANILLA, CACHOLA, CULLEN, HANOHANO, MCKELVEY, TAKAI, TSUJI  |



# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

March 18, 2014  
Rm. 016, 1:30 p.m.

To: The Honorable Suzanne Chun Oakland, Chair  
Members of the Senate Committee on Human Services

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

## H.B. No. 1740, H.D.1

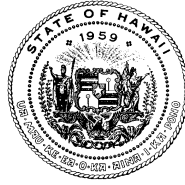
The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5. The HCRC is also an ex-officio member of the Language Access Advisory Council for the Office of Language Access (OLA).

The HCRC supports H.B. No. 1740, H.D.1 provided that its passage does not replace or adversely impact priorities in the Executive Budget. H.B. No. 1740, H.D.1 would fund the statewide language access resource center for state agencies and state-funded entities, as well as a multilingual website to provide online information about government services to limited English proficient (LEP) individuals during FY 2014-2015. Language is a characteristic of national origin and ancestry. Denial of access to federal and state funded services for LEP individuals is unlawful national origin / ancestry discrimination, under Title VI of the Civil Rights Act of 1964 and HRS Chapter 321C.

OLA is responsible for oversight, central coordination, and technical assistance to state agencies in implementation of language access requirements. To date, OLA’s primary work has been in lending technical assistance to covered entities in developing language access plans required by law, and planning and organizing annual conferences on language access. OLA has not been able to offer state agencies the

resources needed to effectively provide interpreters and written translations required to implement their language access plans.

H.B. No. 1740, H.D.1 amends the appropriation amounts for FY 2014-2015 to provide OLA the resources needed to effectively establish a statewide language access resource center, so state agencies will not be left with just their own limited resources to address the challenges of providing required language access. The HCRC supports this measure, provided that its passage does not replace or adversely impact priorities in the Executive Budget.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
OFFICE OF LANGUAGE ACCESS  
830 PUNCHBOWL STREET, SUITE 322  
HONOLULU, HI 96813

SERAFIN P. COLMENARES, JR.  
EXECUTIVE DIRECTOR

To: Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair  
Senate Committee on Human Services

From: Serafin Colmenares Jr.  
Executive Director, Office of Language Access

Date: March 18, 2014, 1:30 p.m.  
State Capitol, Room 16

Re: Testimony on H.B. 1740 HD1  
Relating to Language Access

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The Office of Language Access (“OLA”) appreciates the opportunity to testify in support of H.B. 1740 Relating to Language Access. My name is Serafin Colmenares, Jr. and I am the Executive Director of OLA. **OLA strongly supports H.B. 1740 HD1 with amendments**, to include adequate appropriations. These appropriations reflect what is needed to operate the Language Access Resource Center (LARC) and Multilingual Website Pilot Project.

The Language Access Resource Center and a pilot multi-lingual website project were created by the legislature last year through Act 217. These are arms of OLA which enable state and state-funded agencies to better serve the LEP population and assist them in complying with applicable federal and state language access laws.

Since Act 217 became effective on July 1, 2013, OLA has set into motion the steps to hire staff and begin the work of the LARC and the Multilingual Website Pilot Project. However, OLA is unable to execute these initiatives as intended because the appropriation given by the 2013 legislature was less than half that was projected and requested.

We respectfully request that your committee pass this measure with appropriations of **\$300,000 in Section 6** to operate the Language Access Resource Center; and **\$150,000 in Section 7** for the Multilingual Website Pilot Project.

OLA appreciates this committee for its commitment to language access and for the opportunity to provide this testimony.



STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
**OFFICE OF COMMUNITY SERVICES**  
830 PUNCHBOWL STREET, ROOM 420  
HONOLULU, HAWAII 96813  
[www.hawaii.gov/labor](http://www.hawaii.gov/labor)  
Phone: (808) 586-8675 / Fax: (808) 586-8685  
Email: [dliir.ocs@hawaii.gov](mailto:dliir.ocs@hawaii.gov)

March 17, 2014

To: The Honorable Suzanne Chun Oakland, Chair,  
The Honorable Josh Green, Vice Chair, and  
Members of the Senate Committee on Human Services

Date: Tuesday, March 18, 2014  
Time: 1:30 p.m.  
Place: Conference Room 016, State Capitol

From: Mila Kaahanui, Executive Director

**Re: HB 1740, HD 1: Office of Language Access Multilingual Pilot Project.**

POSITION: Strong Support.

**I. OVERVIEW OF THE PROPOSED LEGISLATION**

The State Office of Language Access (OLA) has been working toward eventual creation of corps of translators and interpreters for use by the State and the general public. This is a long-term goal that the present bill would help move forward.

The bill provides OLA with an appropriation of \$300,000 for LARC and \$150,000 for the website pilot project for Fiscal Year 2015.

**II. COMMENTS ON HOUSE BILL 1740, HD1**

The Office of Community Services (OCS) reconfirms its strong support of this measure.

OCS was created in 1985 by legislation codified at Chapter 371K, HRS, and tasked with the responsibility to plan, develop, provide, and coordinate programs serving Hawaii's immigrants, refugees, and economically disadvantaged individuals.

OCS has long recognized that a large segment of its client population is composed of individuals having Limited English Proficient (LEP) who are usually living in households where English is not the primary language spoken. In 2012, OCS conducted a comprehensive needs

assessment survey of various communities across the State. One of our key findings was that there is a great need for more translation and interpretation services for this population to support their goals of social and economic self-sufficiency.

OCS believes that this measure represents an important step in furthering the language access goals of Hawaii's LEP individuals and families.

Thank you for the opportunity to testify in support of this measure.

# Filipino American Citizens League

Jake Manegdeg, President  
P. O. Box 270126 \* Honolulu, Hawai'i 96827

## TESTIMONY IN STRONG SUPPORT OF HB 1740 HD 1 RELATING TO LANGUAGE ACCESS

Senate Committee on Human Services

March 18, 2014, 1:30 p.m., Hawai'i State Legislature, Senate Conference Room 016

To: Sen. Suzanne Chun Oakland, Chair  
Sen. Josh Green, Vice-Chair  
Senate Human Services Committee Members:  
Sen. Michelle N. Kidani, Sen. Sam Slom, Sen. Brian T. Taniguchi

From: Jake Manegdeg, President, Filipino American Citizens League

My name is Jake Manegdeg. I am the president of the Filipino American Citizens League. The Filipino American Citizens League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

I submit this testimony to strongly support this bill. Even though Hawaii was successful in enacting a Language Access Law, much work is yet to be done to support our government to not only comply on paper with "plans", but to ensure that government officials and their staff have the commitment to implement the intent of the law, in spite of dwindling resources. No excuse is acceptable when it comes to providing access to government services, especially with regard to emergency preparedness. (Think Hurricane Katrina, when Congressman Mike Honda enacted a resolution to ensure language access for limited English proficient populations, who were bypassed by FEMA due to language barriers.)

Act 217 in 2013 provides for the Language Access Resource Center and a pilot multi-lingual website project, which enable state and state-funded agencies to serve people whose first language is not English. It also offers assistance to comply with federal and state language access laws. However, OLA is unable to hire staff to carry out the intent of the law, because less than half of the appropriation was awarded last year.

Therefore, we respectfully ask your committee's consideration to pass this bill with appropriations of \$300,000 in Section 6 to operate the Language Access Resource Center; and \$150,000 in Section 7 for the Multilingual Website Pilot Project.

Thank you for hearing this bill and for the opportunity to provide our strong support.

Very Sincerely,

Jake Manegdeg, President, Filipino American Citizens League



**TESTIMONY IN STRONG SUPPORT OF HB 1740 HD 1**  
RELATING TO LANGUAGE ACCESS

Senate Committee on Human Services

March 18, 2014, 1:30 p.m., Hawai'i State Legislature, Senate Conference Room 016

To: Sen. Suzanne Chun Oakland, Chair  
Sen. Josh Green, Vice-Chair  
Senate Human Services Committee Members:  
Sen. Michelle N. Kidani, Sen. Sam Slom, Sen. Brian T. Taniguchi

From: Charlene Cuaresma, MPH, President, Filipino Coalition For Solidarity

My name is Charlene Cuaresma. As past president of the Filipino Coalition for Solidarity, I want to express appreciation to you for hearing this important bill. The Coalition offers its strong support. Since its inception in 1990, the Coalition has represented more than 50 Filipino community leaders, whose aim is to work for social justice issues to empower Filipinos to make socially responsible contributions to Hawai'i and our global neighbors through education, advocacy, and social action.

I am submitting testimony in strong support of this bill to recognize the multi-lingual assets and multi-cultural climate of diversity that makes Hawai'i unique. Hawai'i leads the United States of America with the highest percentage of non-white people. The U.S. Census lists at least 25 categories of languages spoken in Hawai'i with a respective array of additional language sub-groups. Hawai'i ranks fourth in the nation for the greatest percentage of foreign-born residents by state. Filipinos comprised 61% of the State's immigrant groups, which is larger than all immigrant groups combined. According to the 2000 U.S. Census Bureau, 10 % of Filipinos were reported to be in linguistically isolated households in the Counties of Hawai'i, Honolulu and Kaua'i. Maui County reported 16% of linguistically isolated Filipino households. Filipinos reporting to be limited English proficient or speaks English less than very well were 16% in Hawai'i County, 23% in Honolulu County, 20% in Kaua'i County, and 30% in Maui County.

We understand and appreciate your fiduciary leadership, where dire economic conditions require all to tighten our belts. However, we cannot afford to not fully fund the Language Access Resource Center and a pilot multi-lingual website project, as approved in Act 217 last year. Language access to vulnerable, linguistically isolated communities is not only essential for emergency preparedness, but also because they comprise a sizeable and integral portion of Hawai'i's service industry work force, who also contribute as tax payers.

We ask that our lawmakers pass this bill to protect everyone's civil rights to communicate and to be understood in the transactions of our daily lives in our Aloha State. Thank you for the opportunity to provide this testimony.

Respectfully,

Charlene Cuaresma, MPH  
Past President, Filipino Coalition for Solidarity





Hawai`i Friends for Civil Rights

Amy Agbayani, Co-Founder & President

c/o 3432 B2 Kalihi Street, Honolulu, HI 96819

**TESTIMONY IN STRONG SUPPORT OF HB 1740 HD 1  
RELATING TO LANGUAGE ACCESS**

**TESTIMONY IN STRONG SUPPORT OF HB 1740 HD 1  
RELATING TO LANGUAGE ACCESS**

Senate Committee on Human Services

March 18, 2014, 1:30 p.m., Hawai'i State Legislature, Senate Conference Room 016

To: Sen. Suzanne Chun Oakland, Chair  
Sen. Josh Green, Vice-Chair  
Senate Human Services Committee Members:  
Sen. Michelle N. Kidani, Sen. Sam Slom, Sen. Brian T. Taniguchi

From: Amy Agbayani, Co-Founder and President of Hawai`i Friends of Civil Rights

As the co-founder and president of Hawai`i Friends of Civil Rights, I submit strong support for this bill. HFQR is a group dedicated to fulfilling the work of the late Dr. Martin Luther King, Jr. by addressing disparities and discrimination through the promotion of change agents for social justice through education, service and advocacy.

We urge you to kindly consider full funding for the Office of Language Access, in order for them to mitigate the costly human suffering and liability to state government agencies and state-funded services by establishing and operating the Language Access Resource Center and a pilot multi-lingual website project, as approved by the legislature in Act 217 in 2013.

Thank you for hearing this bill, and for the opportunity to offer our strong support in its passage.

Respectfully,

Amy Agbayani, Ph.D., Co-Founder and President, Hawai`i Friends of Civil Rights



**TESTIMONY IN STRONG SUPPORT OF HB 1740 HD 1**  
RELATING TO LANGUAGE ACCESS

Senate Committee on Human Services

March 18, 2014, 1:30 p.m., Hawai'i State Legislature, Senate Conference Room 016

To: Sen. Suzanne Chun Oakland, Chair  
Sen. Josh Green, Vice-Chair  
Senate Human Services Committee Members:  
Sen. Michelle N. Kidani, Sen. Sam Slom, Sen. Brian T. Taniguchi

From: Rouel Velasco, Chair, National Federation of Filipino American Associations Region 12

My name is Rouel Velasco, Chair of the National Federation of Filipino American Associations Region 12. We strongly support this bill. Thanks to our Hawai'i State Legislature, Hawai'i has a progressive language access law that sets precedence for the rest of the nation in protecting the civil rights of individuals to access government services.

While NaFFAA Region 12 represents the interests of Filipinos in Hawai'i, Guam, and the Commonwealth of Northern Marianas Islands, we are also advocating for all of Hawai'i. This bill is needed to provide full funding for the Language Access Resource Center and a pilot multi-lingual website project, as approved in Act 217 last year. The security of our state is only as good as the security we provide for the most vulnerable among us, including linguistically isolated families and individuals.

NaFFAA Region XII is an affiliate of the National NaFFAA. Washington policy-makers, private industry and national advocacy groups recognize NaFFAA as the Voice of Filipinos and Filipino Americans throughout the United States. We are a non-partisan, non-profit national affiliation of more than five hundred Filipino-American institutions and umbrella organizations that span twelve regions throughout the continental United States and U.S. Pacific territories.

Thank you for hearing this bill and for your consideration of its passage.

Sincerely,

Rouel Velasco, Chair, NaFFAA Region 12