

ACT 289

S.B. NO. 1431

A Bill for an Act Relating to the Hearing Impaired.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. There are approximately sixty thousand persons in the State of Hawaii who are hearing impaired. Of this population, an estimated four thousand five hundred have a severe or profound bilateral hearing loss.

The legislature finds that a state coordinating council on deafness exists within the department of social services and housing. The council was established in response to House Resolution No. 194, Regular Session of 1980, and serves to provide better communication, coordination, and access to services for hearing impaired persons. The council, however, operates without funds or staff.

The purposes of this Act are to establish a state coordinating council on deafness by statute and to appropriate moneys for the operation of the council.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**“CHAPTER
HAWAII STATE COORDINATING COUNCIL ON
DEAFNESS**

§ -1 Hawaii State coordinating council on deafness; establishment.

(a) There is established a Hawaii state coordinating council on deafness within the department of social services and housing for administrative purposes. The council shall consist of:

- (1) Seven representatives of state agencies, including the departments of health, education, labor and industrial relations, social services and housing, personnel services, the University of Hawaii, and the office of the governor;
- (2) Seven members who are hearing impaired or who are immediate family members of hearing impaired persons; and
- (3) Seven members of the public who have an interest in hearing impaired persons.

(b) Members shall be appointed by the governor without the necessity of the advice and consent of the senate and shall serve at the pleasure of the governor.

(c) Members shall elect the officers of the council.

(d) Members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

§ -2 **General duties.** In addition to the duties regarding interpreter services under this chapter, the council shall compile information on the hearing impaired population, advocate for the hearing impaired, develop

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and monitor programs for hearing impaired persons, and act to establish better communication and coordination among public and private agencies concerning access to services by hearing impaired persons.

§ -3 **Responsibility of council for interpreter services.** The council shall establish guidelines for the utilization of interpreter services by hearing impaired persons in state programs and activities, including the qualifications of persons who may receive the services, the qualifications of interpreters who may provide services, and the amount of payments to interpreters. The guidelines shall be consistent with Section 504 of the federal Rehabilitation Act of 1973, P.L. 93-112, as amended, for state programs and activities which receive federal financial assistance.

§ -4 **Responsibility of council for payment of interpreter services.** The council, subject to legislative appropriations, shall coordinate the payment of interpreter services for hearing impaired persons when participating in state programs and activities which do not receive federal financial assistance.

§ -5 **Staff.** The council may appoint staff necessary for the purposes of this chapter. The staff shall be exempt from chapters 76 and 77.

§ -6 **Rules.** The council may adopt rules in accordance with chapter 91 for the purposes of this chapter.”

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$58,000, or so much thereof as may be necessary for fiscal year 1987-1988, to be distributed as follows:

- (1) \$38,000 shall be used to hire a program specialist and an account clerk for the state coordinating council on deafness;
- (2) \$10,000 shall be used for operating expenses of the Hawaii state coordinating council on deafness; and
- (3) \$10,000 shall be used for the cost of interpreter services for state programs and activities which do not receive federal financial participation.

The sum appropriated shall be expended by the department of social services and housing for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 1987.

(Approved June 25, 1987.)