
HOUSE CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR TO ESTABLISH THE OFFICE OF LANGUAGE
ACCESS.

1 WHEREAS, during the Regular Session of 2006, the
2 Legislature passed a measure that was signed into law by the
3 Governor and became Act 290, which establishes the Office of
4 Language Access and provides funding for the office in fiscal
5 year 2006-2007; and

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7 WHEREAS, Title VI of the federal Civil Rights Act of 1964
8 requires all entities receiving federal funds to provide
9 language accessible services to limited English proficient
10 persons; and

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12 WHEREAS, twenty-six per cent of Hawaii residents report
13 that they speak in a language other than English at home, and
14 five per cent of Hawaii residents report that they do not speak
15 English at all or do not speak it well; and

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17 WHEREAS, testimony in support of the measure that became
18 Act 290 indicated that the State had failed at providing
19 language accessible services and cited specific cases where
20 persons with limited English proficiency were wrongfully denied
21 access to public benefits, suffered wrongful emergency
22 commitment to psychiatric facilities, unknowingly agreed to
23 "voluntarily" place their children with the Department of Human
24 Services, were compelled to attend English-only court-ordered
25 rehabilitative programs, were told to provide their own
26 interpreters when accessing state services, had teeth extracted
27 without having given one's informed consent, and faced
28 substantial delays in accessing basic government services,
29 including the children's health insurance program, medicare,
30 medicaid, and the temporary assistance for needy families and
31 temporary assistance to other needy families programs; and

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1 WHEREAS, Act 290 was enacted to ensure state compliance
 2 with Title VI by having the Office of Language Access assist the
 3 Judiciary and all state departments in developing individualized
 4 language access plans that comply with existing federal law, in
 5 monitoring and investigating language access complaints, and in
 6 endeavoring to eliminate language access violations through
 7 informal methods such as conferences, conciliation, mediation,
 8 and persuasion; and
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10 WHEREAS, Act 290 also established a Language Access
 11 Advisory Council appointed by the Governor and composed of
 12 representatives from the State, non-profit corporations, and the
 13 public at large; and
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15 WHEREAS, the intent of Act 290 has not yet been implemented
 16 due to the State's withholding of funds to establish the Office
 17 of Language Access and to appoint a Director and Advisory
 18 Council members; now, therefore,
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20 BE IT RESOLVED by the House of Representatives of the
 21 Twenty-fourth Legislature of the State of Hawaii, Regular
 22 Session of 2007, the Senate concurring, that the Governor is
 23 requested to establish the Office of Language Access, by
 24 releasing funds for the Office and by thereafter appointing a
 25 Director for the Office, posting notices of openings for the
 26 Language Access Advisory Council, and appointing members to the
 27 Language Access Advisory Council; and
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29 BE IT FURTHER RESOLVED that a certified copy of this
 30 Concurrent Resolution be transmitted to the Governor.
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OFFERED BY:

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