

JAN 20 2023

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# A BILL FOR AN ACT

RELATING TO LANGUAGE ACCESS.

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

1           SECTION 1. The legislature finds that the Compacts of Free  
2 Association (COFA) represent a series of treaties between the  
3 United States, Federated States of Micronesia, Republic of  
4 Palau, and Republic of the Marshall Islands that were  
5 established as compensation for the loss of life, health, land,  
6 and resources due to numerous United States-issued nuclear  
7 weapons tests on Marshall Islands, Bikini, and Enewetak Atolls  
8 from 1946 to 1948. Under the COFA, citizens of the  
9 aforementioned nations are granted the right to live and work in  
10 the United States with no visa requirement. They are also  
11 provided access to local social and health services.

12           The legislature also finds that there are at least twenty-  
13 eight thousand COFA migrants residing in the State, many who are  
14 discouraged to use public services because of language barriers.  
15 According to a department of business, economic development, and  
16 tourism study issued in February 2020, "the COFA population in  
17 Hawaii tends to be younger, less-educated, and have lower income



1 compared to the general population" and "has the largest average  
2 household size, fewer home-owners, and is more likely to live  
3 below the poverty line than the non-COFA population". The  
4 migrant communities endure obstacles such as lack of  
5 transportation to medical facilities, crowded living conditions,  
6 scarce job security, and linguistic and cultural barriers that  
7 are exacerbated by a lack of interpreter translation services.

8 The legislature further finds that the COFA population  
9 contributes economic activity to the State in the form of labor  
10 and consumption of goods, as well as payment of taxes and fees.  
11 As such, the legislature believes it is incumbent upon the State  
12 to empower COFA residents to utilize social services.

13 Accordingly, the purpose of this Act is to establish an  
14 interpreter services program to assist COFA citizens to use  
15 public services, specifically department of motor vehicles  
16 services throughout the State.

17 SECTION 2. Chapter 286, Hawaii Revised Statutes, is  
18 amended by adding a new section to be appropriately designated  
19 and to read as follows:

20 "§286- Interpretter services program; Compact of Free  
21 Association citizens. (a) Each county director of finance, in



1 consultation with the county examiner of drivers, shall  
2 establish and implement an interpreter services program to  
3 assist the language access needs of nonimmigrants who:

4 (1) Are citizens of:

5 (A) The Federated States of Micronesia;

6 (B) The Republic of the Marshall Islands; or

7 (C) The Republic of Palau,

8 as defined by the Compact of Free Association Act of  
9 1985, P.L. 99-239, as amended, or the Compact of Free  
10 Association Approval Act, P.L. 99-658; and

11 (2) Have limited English proficiency or are unable to  
12 read, write, speak or understand English,

13 to access and utilize the services provided by the department of  
14 motor vehicles of each county.

15 (b) The services for each county's interpreter services  
16 program established pursuant to subsection (a) shall be provided  
17 through:

18 (1) Contracts for services entered into by the county  
19 director of finance and service providers residing in  
20 the county; or



1        (2) Utilization of the department of human services Med-  
 2        QUEST divisions' community navigators who provide home  
 3        and community-based services to individuals with  
 4        intellectual and developmental disabilities pursuant  
 5        to section 1915(c) of the Social Security Act, when  
 6        applicable.

7        (c) The county director of finance shall consult with the  
 8        executive director of the office of language access and may seek  
 9        guidance from the language access advisory council established  
 10       pursuant to section 321C-7 to implement the interpreter services  
 11       program under this section."

12       SECTION 3. There is appropriated out of the general  
 13 revenues of the State of Hawaii the sum of \$                    or so  
 14 much thereof as may be necessary for fiscal year 2023-2024 and  
 15 the same sum or so much thereof as may be necessary for fiscal  
 16 year 2024-2025 as a grant-in-aid to establish and implement an  
 17 interpreter services program in the department of motor vehicle  
 18 of each county, to be distributed as follows:

19	County of Hawaii	\$
20	County of Kauai	\$
21	County of Maui	\$



1 City and County of Honolulu §  
2 The sums appropriated shall be expended by the respective  
3 counties for the purposes of this Act.

4 SECTION 4. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2023.

6 INTRODUCED BY: DKR



# S.B. NO. 768

**Report Title:**

Compact of Free Association; Department of Motor Vehicles; Citizens; Interpreter Services Program; Appropriation

**Description:**

Requires each county's Director of Finance, in consultation with the County Examiner of Drivers, to establish an Interpreter Services Program to assist Compact of Free Association citizens with utilizing the services provided by the Department of Motor Vehicles of each county. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

