

STAND. COM. REP. NO. 1376

Honolulu, Hawaii

MAR 30 2021

RE: S.C.R. No. 95
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Human Services and Health, to which was referred S.C.R. No. 95 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR EFFECTIVE COMMUNICATIONS WITH LIMITED ENGLISH PROFICIENT PERSONS AND PERSONS WITH DISABILITIES BEFORE, DURING, AND AFTER EMERGENCIES AND NATURAL DISASTERS,"

beg leave to report as follows:

The purpose and intent of this measure is to request that the Governor convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities before, during, and after emergencies and natural disasters.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, Department of Human Services, Judiciary, Office of Enterprise Technology Services, Hawai'i Coalition for Immigrant Rights, Catholic Charities Hawai'i, Medical-Legal Partnership Hawai'i, Hawai'i Friends of Civil Rights, Ethnic Education Hawai'i, Alii Interpreting Services, LLC; and five individuals. Your Committees received comments on this measure from the Office of Language Access.



Your Committees find that roughly one in four residents of Hawaii, or 348,139, speak a language other than English at home. The 2019 State of Hawaii Data Book also reported that 161,055, or approximately one in nine of Hawaii's residents, indicated that they speak English "less than very well", classifying them as limited English proficient persons. Your Committees also find that language access is a civil right that derives from Title VI of the Civil Rights Act of 1964, providing that "[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Further, your Committees find that the Office of Language Access, established in 2006, reaffirmed Hawaii's commitment to civil rights and inclusive access to services regardless of national origin.

Your Committees find that the State has been cited repeatedly by the federal court, federal offices of civil rights, including the Department of Justice and Hawai'i Civil Rights Commission, for its failure to provide language accessible services for limited English proficient persons. Your Committees also find that during the coronavirus disease 2019 pandemic, Hawaii's limited English proficient community has expressed concern and dismay regarding non-existent or limited access to essential state services, including health related information and unemployment benefits, in a language they understand. Therefore, your Committees find that bridging the language divide experienced by the limited English proficient, deaf, blind, and disabled communities is essential to ensuring equitable access to services, programs, and activities for all Hawai'i residents. Accordingly, your Committees believe that effective and appropriate communication that reaches these communities during natural disasters or emergency events is critical to protecting lives, families, and the State's diverse communities.

Your Committees have amended this measure by:

- (1) Removing language tasking the working group to identify translation and interpreter costs; and
- (2) Requesting the working group to:



- (A) Assess the current status of communication access for persons with a disability and limited English proficient persons during natural disasters and emergencies;
 - (B) Assess the current communication needs and challenges across government entities during natural disasters and emergencies;
 - (C) Identify information technology resources and other resources and costs; and
 - (D) Identify and propose legislative solutions and submit recommendations to the Legislature; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 95, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 95, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Health,



JARRETT KEOHOKALOLE, Chair

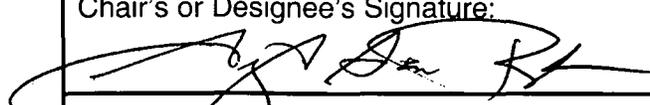


JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

| | | | | |
|--|---|----------------------------|-----|----------|
| Bill / Resolution No.:* SCR 95 | Committee Referral: HMS / HTH | Date: 02/29/2021 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| SAN BUENAVENTURA, Joy A. (C) | / | | | |
| IHARA, Jr., Les (VC) | | | | / |
| ACASIO, Laura | / | | | |
| MISALUCHA, Bennette E. | / | | | |
| FEVELLA, Kurt | / | | | |
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| TOTAL | 4 | | | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes

The Senate
 Thirty-First Legislature
 State of Hawai'i

**Record of Votes
 Committee on Health
 HTH**

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|--|---------------------------------------|---------------------------|
| Bill / Resolution No.:* OCR 99 | Committee Referral: HMS/HTH | Date: 3-29-2021 |
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

| Members | Aye | Aye (WR) | Nay | Excused |
|--------------------------|----------|----------|----------|----------|
| KEOHOKALOLE, Jarrett (C) | ✓ | | | |
| BAKER, Rosalyn (VC) | ✓ | | | |
| MORIWAKI, Sharon Y. | ✓ | | | |
| SAN BUENAVENTURA, Joy A. | ✓ | | | |
| FEVELLA, Kurt | ✓ | | | |
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| TOTAL | 5 | - | - | - |

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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