

**Steven M Brown's Written Testimony on HB 3397
Salem, Oregon**

April 4, 2017

Chair Majority Leader Representative Jennifer Williamson
Co-Chair Minority Leader Representatives Mike McLane
Members of the House Committee on Rules
Oregon State Legislature
900 Court Street NE
Salem, OR 97301

Dear Chair Majority Leader Representative Williamson, Co-Chair Minority Leader Representative McLane, and the Members of the House Committee on Rules,

My name is Steven M Brown. I am a state registered lobbyist on behalf of Oregon Association of the Deaf (OAD) and I am also a Vice President of that Association.

I would like to extend the concerns regarding HB 3397.

More specifically, I would like to see if the "definitions" can be inserted on page 1 of printed bill as followed:

"Interpreters" mean individuals who work between spoken or signed languages in real-time.

"Translators" mean individuals who work between languages in a written or text form.

"Interpretation" mean the interpreters.

"Translation" mean the translators.

"American Sign Language" means the visual language used by deaf and hard of hearing people in the United States, with semantic, syntactic, morphological, and phonological that are distinct from spoken English.

"Foreign Spoken Language" mean the individuals who are speaking in foreign languages with semantic, syntactic, morphological, and phonological rules that are distinct from spoken English.

"Americans with Disabilities Act of 1990 (or ADA)" means the federal statutory that requires auxiliary aids or services under Titles II (State and Local Government) and III (Public Accommodations).

"Requestors" mean Legislative Administrators, Legislators, Legislative Personnel, and the individuals who speak in foreign languages and for these people with disabilities, including the deaf and hard of hearing individuals.

"Auxiliary aids or services" means, but is not limited to, qualified interpreters, signed English, Cued speech, Captioning Real-Time, and assistive listening devices.

"Primary communication mode, style, or language" means the communication mode, style, or language that is preferred by and most effective for an individual.

"Modifications" mean the provision of conditions, equipment, and environment that enable an individual to effectively access to these legislative buildings and facilities, programs and services, employment opportunities, and technology.

"Accommodation services" mean necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis.

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“**Legislative Administrator**” means the Administrator who coordinate, schedule, and submit the requests for accommodation services and the reasonable modifications to appropriate agencies that will provide such requested services.

“**Department of Administrative Services**” means the Department that pays requested services’ charges.

“**Students**” mean for those who enroll K-12 private/public schools, universities, colleges, or community colleges.

“**Interns**” mean for those who enroll private/public universities, colleges, or community colleges.

“**Video Remote Interpreting Service**” means a VRI contractual service with the Legislative Administration approved by the Department to provide spoken foreign language interpretation and translation services.

“**In case of emergency time of the hearing or other meeting**” means less 3 business days for sign language interpretation services and VRI shall be provided on basis of temporary until on-site interpreters arrive.

“**Reasonable time**” means Legislative Administrator must provide accommodation services within 48 hours after received the requests during the legislative sessions and 72 hours’ notice for the interim legislative sessions.

“**In any manner**” means requestors submit for interpretation and translation services in written communication, including handwriting notes, emails, faxes, or letters.

Also, I would like to see if the lines on page 1 of printed bill are amended as followed:

Line 4 to 5: "The Legislative Assembly shall provide **interpretation and translation** services to interested members of the public that request the accommodation and modification services."

Line 6: "**Interpretation and Translation** services that are provided under this section shall be limited to:"

Line 7 to 8: (a) "**Interpretation and Translation** to facilitate witness testimony in legislative committee or subcommittee hearings;"

Line 9 to 10: (b) "**Interpretation and Translation** to facilitate dialog in formal and informal meetings with one or more legislators, including legislative personnel, legislative assistants, and the legislative administrators; or

Line 11 to 12: (c) "Sign language **interpretation** services to comply with the federal Americans with Disabilities Act, 42 U.S.C. 12101 et seq.

I would like to see if languages can be inserted in the between of Line 12 and 13:

Line 13 to 14: (d) “**Sign Language Interpretation and Spoken Foreign Language Translation services to accommodate foreign and sign language signers/speakers’ primary communication mode, style, or language.**”

Line 15 to 16: (e) “**Interpretation and translation services to provide for the students and interns in any legislative functions, including the legislators' offices or legislative administrative offices at no charge.**”

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I would like to see if the lines on page 1 of printed bill are amended as followed:

Line 17 to 18: "A member of the public seeking to have **interpretation and translation** services provided shall make a written request **in any manner** to the Legislative Administrator in a **reasonable** time:"

Line 19 to 20: "In interim periods when the Legislative Assembly is not in session, at least one week before the scheduled time of the hearing or other meeting, including the **formal and informal** appointments, **scheduled town halls, and any relevant legislative events at which interpretation and translation services** are to be provided;"

Line 21 to 22: "During a legislative session, at least two business days before the scheduled time of the hearing or other meeting, including the **formal and informal appointments, scheduled town halls, and any relevant legislative events at which interpretation and translation services** are to be provided; and"

Line 23 to 24: "Notwithstanding paragraphs (a) and (b) of this subsection, if the **interpretation services** consist of sign language needed to comply with the Americans with Disabilities Act, at least three business days before **the scheduled time of the hearing or other meeting, including the formal and informal appointments, scheduled town halls, and any relevant legislative events at which sign language interpretation and translation services** are to be provided."

I would like to see if languages can be inserted in the between of Line 25 and 26:

Line 25 to 26: "**In case of emergency time of the hearing or other meeting, including the formal and informal appointments, town halls, and any relevant legislative events, VRI service may be provided until on-site sign language interpreters arrive.**"

Line 27 to 28: "**The Legislative Administrator shall provide the interpretation and translation services described in this section free of charge, including no charge on legislative administrations and the legislators' offices.**"

Line 29 to 30: "**Department shall make the payments on accommodation services and/or modifications' charges within 30 days after the dated receipts of charged services submitted by the Legislative Administrator.**"

Line 31 to 32: "**VRI service may be provided for these who speak in foreign languages.**"

In short, the appropriate way to rephrase in this legislation under those lines are, "Interpretation and Translation services."

Lastly, I wish to thank Representatives Susan McLain and Teresa Alonso Leon, the chief sponsors support on the possible amendments on HB 3397.

The reason for such amendments is a common-sense thing and the right thing to do because it clarifies the definitions of "interpretation and translation," as well as in different capacities of accommodations and modification services provided by the Legislative Administration.

Thank you and I look forward to working with you on possible HB 3397 amendments.

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Best regards,

A handwritten signature in black ink, appearing to read 'SMB', written over a horizontal line.

Steven M Brown, MPA, MA
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