

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 157

S. P. 80

In Senate, January 24, 1979

Referred to the Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

Presented by Senator Hichens of York.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide Interpreter Service for the Hearing Impaired.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 5 MRSA § 48, sub-§ 1, ¶ A, as enacted by PL 1977, c. 704, § 1, is repealed and the following enacted in its place:

A. "Compensation" means the fee for an interpreter's time of service as provided by an appointed qualified interpreter.

Sec. 2. 5 MRSA § 48, sub-§ 1, ¶¶ G to I, as enacted by PL 1977, c. 704, § 1, are repealed and the following enacted in their place:

G. "Qualified interpreter" means a person with the knowledge and understanding of the code of ethics of the National Registry of Interpreters for the Deaf who is able to recognize the comprehension level of a deaf or hearing impaired person and is able to communicate effectively in a mode of communication used by the deaf or hearing impaired person and to interpret accurately the statements of the deaf or hearing impaired person.

H. "Agency" means any authority, board, bureau, commission, department or officer of State Government, or of any county, municipality, school district or any other political or administrative subdivision.

I. "Travel expenses" means actual expense for transportation reimbursable at the usual state mileage rate, tolls, parking fees or other fees specified in an agreement between an interpreter or an interpreter agency and an agency or court retaining the services of the interpreter at a specific date, time and place.

Sec. 3. 5 MRSA § 48, sub-§ 2, ¶¶ A, B and D, as enacted by PL 1977, c. 704, § 1, are repealed and the following enacted in their place:

A. Whenever any personal or property interest of a deaf or hearing impaired person is the subject of a proceeding before any agency or court, the presiding officer of the proceeding shall, in consultation with the deaf or hearing impaired person, appoint a qualified interpreter.

B. In appointing a qualified interpreter, the presiding officer shall give first consideration to persons who are certified by the National Registry of Interpreters for the Deaf.

D. The interpreter shall be appointed after consultation with the deaf or hearing impaired person. If the appointed qualified interpreter does not meet the needs of the deaf or hearing impaired person, the presiding officer shall, with the consent of the deaf or hearing impaired person, appoint another qualified interpreter.

Sec. 4. 5 MRSA § 48, sub-§ 3, ¶¶ B and C, as enacted by PL 1977, c. 704, § 1, are repealed and the following enacted in their place:

B. When requested by an agency or court, the Bureau of Rehabilitation shall furnish the agency or court with a directory of information on appropriate and qualified interpreter sources.

C. An interpreter appointed under this section shall be reimbursed by the Bureau of Rehabilitation, upon certification by the appropriate agency or court of services performed, at a fixed rate reflecting the current fee schedule as established by the Bureau of Rehabilitation, plus travel expenses. Nothing in this section shall be construed as preventing any agency or court from employing a qualified interpreter on a full-time basis or under contract at a mutually agreed upon compensation rate.

STATEMENT OF FACT

This bill is designed to correct inappropriate or extraneous wording in the original law and to add a statement of interpreter compliance to the code of ethics of the National Registry of Interpreters for the Deaf. The bill also expands interpreter coverage beyond state agencies to other service areas in the community.