

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1031

S. P. 311

In Senate, March 22, 1977

Referred to the Committee on Human Resources. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Provide Certified Interpreter Service for the Hearing Impaired.

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

5 MRSA § 48 is enacted to read:

§ 48. Interpreter service for the hearing impaired

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms shall have the following meanings.

A. "Compensation" requires an interpreting fee for interpreting time or service performed by an appointed interpreter or person.

B. "Deaf" means a person whose sense of hearing is nonfunctional for the purpose of ordinary communication.

C. "Directory" means a listing of all qualified interpreters in the State.

D. "Hearing impaired" means a person whose sense of hearing is defective, but functional to some degree with or without amplification.

E. "Interpreting agency" means an agency whose function is to provide qualified interpreter services for a fee, including travel expenses, for the purpose of forming a communication bridge between any state agency and a deaf or hearing impaired person.

F. "State agency" means a state department, agency, office, board, commission or quasi-independent agency, board, commission, authority or institution.

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

H. "Qualified interpreter" means a person certified by the National Registry of Interpreters for the Deaf or the Maine Registry of Interpreters for the Deaf, or assigned by any official interpreting agency, or, in the event an interpreter so qualified is unavailable, the interpreter whose actual qualifications are otherwise appropriately determined, a qualified interpreter shall be able to recognize the comprehension level of a deaf or hearing impaired person and shall be able readily to communicate effectively in a mode of communication used by the deaf or hearing impaired person and to translate accurately the statements of the deaf or hearing impaired person into spoken English.

I. "Qualified person" means a person who shall be able to recognize the comprehension level of a deaf or hearing impaired person and shall be able to communicate effectively in a mode of communication used by the deaf or hearing impaired in a meaningful basis. A qualified person whose actual qualifications are appropriately determined may perform in line of service of any agency, association or institution or at the request of the deaf or hearing impaired person.

2. Agencies to provide interpretations. All state agencies shall provide or shall arrange to provide a qualified person or interpreter to relate to and communicate on an effective and meaningful basis with any deaf or hearing impaired person having any business or communication with that agency. For purposes of selecting qualified interpreters, state agencies may consult a directory of qualified interpreters from the Maine Registry of Interpreters for the Deaf, the State Association of the Deaf or any interpreting agency.

3. Interpreting. Any qualified person or interpreter retained for the purposes set out in subsection 2 shall interpret by means of manual communications for the deaf or oral interpretation or writing.

4. Compensation. Compensation and travel expenses for a qualified person or interpreter shall be paid by the state agency retaining the qualified person or interpreter.

5. Review and appeals. Any deaf or hearing impaired individual dissatisfied with any state agency regarding the provision of interpreting services shall be entitled to a review and hearing of the agency's action according to procedures governing that agency. A state agency shall provide interpreting services during any appeals proceeding involving that agency upon the request of any deaf or hearing impaired person who is a party to that proceeding.

STATEMENT OF FACT

This bill would require state agencies to provide interpreters for deaf or hearing impaired persons dealing with the agency. This would insure that

deaf or hearing impaired persons have access to services provided by agencies for all residents of the State.