

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1939

S.P. 693

In Senate, March 18, 1999

**An Act to Fund a Minimum Level of Services for Deaf and
Hard-of-Hearing Persons in all Regions of the State.**

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TREAT of Kennebec.
Cosponsored by Senators: PARADIS of Aroostook, PINGREE of Knox, RAND of
Cumberland, Representatives: McDONOUGH of Portland, WATSON of Farmingdale.

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

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PART A

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Sec. A-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

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1999-00 2000-01

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LABOR, DEPARTMENT OF

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Rehabilitation Services

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All Other \$88,000 \$88,000

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Provides funding for legal interpreter services. An annual amount of \$20,000 is available for emergency situations and \$16,500 per year is to be used for training.

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Rehabilitation Services

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All Other \$320,000 \$320,000

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Provides funds for additional community services to be provided by the Maine Center on Deafness. An annual amount of \$200,000 is to be used to establish and operate a Bangor area office of the Maine Center on Deafness.

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DEPARTMENT OF LABOR

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TOTAL

\$408,000 \$408,000

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PART B

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Sec. B-1. Study committee. The Division of Deafness within the Department of Labor, referred to in this Part as the "division," shall convene a study committee to study the current legal interpreting contract of the Division of Deafness with the purpose of recommending to the Legislature how that contract could be improved to better serve the needs of the deaf and hard-of-hearing.

2 **Sec. B-2. Committee membership.** The division shall convene
representatives of the judicial system, deaf persons, advocacy
4 groups representing the deaf, interpreters, victims' rights
organizations, Pine Tree Legal Assistance and law enforcement to
6 participate in this study committee.

8 **Sec. B-3. Duties.** The study committee shall make
recommendations and propose statutory changes for the possible
10 reorganization of the legal interpreting contract. In conducting
its study, the committee shall consider:

12 1. Eligibility of service providers to use contract funds
14 and possible phasing out of provider usage;

16 2. Client eligibility standards;

18 3. The definition of "qualified interpreters;"

20 4. The adequacy of level of services provided, including
the provision of Computer Assisted Real Time and assisted
22 listening devices for late-deafened adults and the
hard-of-hearing;

24 5. The administration of contract funds;

26 6. The provision of services in emergencies;

28 7. Education and outreach services; and

30 8. The review of legislation of other states.

32 **Sec. B-4. Staff.** The division shall provide staffing and
34 clerical assistance to the study committee.

36 **Sec. B-5. Report.** The study committee shall submit to the
Legislature, with a copy to the Governor, a report of its
38 findings, including any implementing legislation, no later than
December 1, 1999.

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PART C

44 **Sec. C-1. Department of Labor review of Division of Deafness.** The
Commissioner of Labor shall review the mission and services
46 provided by the Division of Deafness within the Bureau of
Rehabilitation Services, Department of Labor. The commissioner
48 shall expand upon the plan required by Resolve 1997, chapter 90
and address funding needs, statutory language

2 requirements and the possible reorganization of service
provisions. The plan must specifically address the following
issues:

- 4 1. Late-deafened adults and the elderly deaf;
- 6 2. State agency compliance with the Americans with
8 Disabilities Act;
- 10 3. Availability of community services in all regions of the
12 State;
- 14 4. Advocacy and other needs in areas of housing, education,
legal aid, health care and social services;
- 16 5. Emergency response and management;
- 18 6. Public safety;
- 20 7. Independent living service needs for the deaf with
22 mental retardation and mental health needs;
- 24 8. Telecommunications; and
- 26 9. Interpreter services generally.

28 **Sec. C-2. Recommendations.** The Commissioner of Labor, in
consultation with the members of the Joint Standing Committee on
30 Labor, the advisory council for the Division of Deafness, the
Governor Baxter School for the Deaf, advocacy groups and
32 organizations representing persons who are deaf and
hard-of-hearing and all affected agencies, including, but not
34 limited to, the Department of Corrections, the Department of
Education, the Department of Human Services, the Department of
Mental Health, Mental Retardation and Substance Abuse Services,
36 the Department of Public Safety, the Department of
Transportation, the Maine Emergency Management Agency, the Maine
38 Turnpike Authority and the Public Utilities Commission, shall
make recommendations to the Governor and the joint standing
40 committee of the Legislature having jurisdiction over labor
42 or restructuring and funding as necessary to carry out these
recommendations. The Joint Standing Committee on Labor may
44 report out legislation as necessary to implement the
recommendations of the Commissioner of Labor to the Second
46 Regular Session of the 119th Legislature.

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SUMMARY

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4 Part A of this bill makes General Fund appropriations to the
rehabilitation services programs in the Department of Labor to
expand services for the deaf and the hard-of-hearing.

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8 Part B of the bill establishes a study committee to be
convened by the Division of Deafness. The committee will review
the division's current legal interpreting contract to recommend
10 improvements that will better serve the needs of the deaf and the
hard-of-hearing.

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14 Part C of the bill expands upon the review required by
Resolve 1997, chapter 90. It requires the continuation of a
review of the Division of Deafness by the Department of Labor and
16 establishes a reporting date of December 1, 1999.