

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A " to S.P. 720, L.D. 2169, Bill,
"AN ACT to Provide Interpreter Service for the Hearing Impaired"

Amend the Bill in section 1 in that part designated
"§48." by striking out all of the first paragraph of
subsection 2 and by striking out all of paragraphs A and B and
inserting in their place the following:

'2. Interpreter services required.

A. Whenever any deaf or hearing impaired person is the
subject of a public proceeding before any state agency, the
presiding officer of the proceeding shall, upon the request
of the deaf or hearing impaired person, appoint a qualified
interpreter on the basis of choice of the deaf or hearing
impaired person.

B. Whenever any deaf or hearing impaired person is a
party to or a witness at a proceeding before any administrative
hearing, grand jury, or in any trial court in the State,
the presiding officer of the proceeding shall, upon the
request of the deaf or hearing impaired person, appoint a
qualified interpreter on the basis of choice of the deaf or
hearing impaired person. 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, the

SENATE AMENDMENT "A " to S.P. 720, L.D. 2169

-2-

Maine Registry of Interpreters for the Deaf, and approved by the Maine Association of the Deaf. The right to an interpreter shall not be waived by the failure of the deaf person to make a request in the administrative or judicial proceeding.'

Further amend the Bill in section 1 in that part designated "§48." by striking out the period at the end of paragraph D of subsection 2 and inserting in its place the following: 'after consultation with the deaf or hearing impaired person.
E. Whenever a deaf or hearing impaired person communicates through an interpreter to any person under such circumstances that the communication would be privileged and that person could not be compelled to testify as to the communications, that privilege shall apply to the interpreter as well.'

Further amend the Bill in section 1 in that part designated "§48." by striking out all of paragraph A of subsection 3 and inserting in its place the following: 'A. With the cooperation of the Maine Association of the Deaf, ←→the National Registry of Interpreters for the Deaf and the Maine Registry of Interpreters for the Deaf, the Bureau of Rehabilitation is authorized and directed to prepare and continually update a listing of qualified and available interpreters.'

SENATE AMENDMENT "A " to S.P. 720, L.D. 2169

-3-

Further amend the Bill in section 1 in that part designated "§48." by striking out all of the first underlined sentence of paragraph C and inserting in its place the following:

'An interpreter appointed under this section shall be reimbursed by the Bureau of Rehabilitation, except where funds are already set aside by the state agency or court for this purpose, upon certification by the appropriate state 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.'

Further amend the Bill in section 1 by adding at the end the following:

'E. All interpreters shall provide quality services and confidentiality of information according to the code of ethics of the National Registry of Interpreters for the Deaf.'

Statement of Fact

The purposes of this amendment are to:

1. Clarify the circumstances in which a qualified interpreter shall be appointed;
2. Extend any privileged communication enjoyed by a deaf or hearing impaired person to the person's qualified interpreter;
3. Identify the Maine Association of the Deaf as an organization approving interpreters being consulted by the Bureau of Rehabilitation in preparing a directory of interpreters;

D OF R.

4. Require any qualified interpreter to act in accordance with code of ethics of the National Registry of Interpreters for the Deaf; and

5. Provide that funds other than those appropriated in this Act may be used to reimburse interpreters for services performed.

(Hichens)

NAME: *Senator W. Hichens*

COUNTY: York

Reproduced and distributed pursuant to Senate Rule 11-A.

March 2, 1978

(Filing No. S-510)