

# MAINE STATE LEGISLATURE

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(New Draft of S.P. 60, L.D. 171)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

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Legislative Document

No. 966

S.P. 338

In Senate, March 3, 1983

Reported by Senator Trafton of Androscoggin from the Committee on  
Judiciary and printed under Joint Rule 2.

JOY J. O'BRIEN, Secretary of the Senate

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STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-THREE

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AN ACT to Include Interpreters for the  
Hearing Impaired Within the Evidentiary  
Communications Privilege.

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

5 MRSA §48, sub-§4 is enacted to read:

4. Privileged communication. Whenever a hearing  
impaired person communicates through an interpreter  
to any other person and the hearing impaired person  
has a privilege to refuse to disclose that communica-  
tion, the interpreter has authority to claim that  
privilege but only on behalf of the hearing impaired  
person.

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STATEMENT OF FACT

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This new draft amends the language of the original bill to more accurately reflect the nature of the privilege; i.e., that the interpreter is claiming the privilege on behalf of the hearing impaired person. This is necessary because it is the hearing impaired person who "owns" the privilege.

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