

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1340

S.P. 467

In Senate, March 17, 2005

### **An Act To Amend the Law Governing the Licensure of Interpreters for the Deaf and Hard-of-hearing**

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Reference to the Committee on Business, Research and Economic Development 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 President EDMONDS of Cumberland.  
Cosponsored by Representative PERCY of Phippsburg and  
Senators: BROMLEY of Cumberland, HOBBS of York, TURNER of Cumberland,  
Representatives: BLANCHETTE of Bangor, MILLS of Farmington, RECTOR of Thomaston,  
SMITH of Monmouth.

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

4 **Sec. 1. 32 MRSA §1524**, as amended by PL 1999, c. 399, §10 and  
affected by §20, is further amended to read:

6 **§1524. Requirements for licensure; limited interpreter  
and limited transliterator**

8  
10 To be eligible for licensure as a limited interpreter or  
limited transliterator under this chapter, an applicant must be  
at least 18 years of age and must provide the following:

12  
14 **1. High school diploma.** Proof of a high school diploma or  
the equivalent;

16 **3. Sworn statement.** A sworn, signed statement that the  
18 applicant has read, understands and agrees to abide by the Code  
of Ethics of the Registry of Interpreters for the Deaf, Inc., or  
20 a comparable or successor organization recognized by the  
commissioner;

22 **4. Proof of education and training in American Sign  
Language.** Written Except as provided in this section, written  
24 proof of the applicant's education and training in American Sign  
Language, consisting of either:

26  
28 A. Proof of completion of at least 100 clock hours of  
instruction in American Sign Language conducted by:

30 (1) An instructor recognized by the American Sign  
32 Language Teachers Association, or a comparable or  
successor organization recognized by the commissioner;

34 (2) An interpreter certified by either the Registry of  
36 Interpreters for the Deaf, Inc. or the National  
Association of the Deaf, Inc., or a comparable or  
38 successor organization of either recognized by the  
commissioner; or

40 (3) An instructor of courses conducted through an  
42 accredited college, accredited university or accredited  
or approved high school or conducted by certification  
44 maintenance course sponsors approved by the Registry of  
Interpreters for the Deaf, Inc. or the National  
46 Association of the Deaf, Inc., or a comparable or  
successor organization of either recognized by the  
48 commissioner; or

50 B. Submission of a letter attesting that the applicant's  
skill level is equivalent to a person who has completed 100

2 hours of instruction in American Sign Language. The letter  
must be prepared and signed by:

4 (1) An instructor recognized by the American Sign  
Language Teachers Association, or a comparable or  
6 successor organization recognized by the commissioner;

8 (2) An interpreter certified by either the Registry of  
Interpreters for the Deaf, Inc. or the National  
10 Association of the Deaf, Inc., or a comparable or  
successor organization of either recognized by the  
12 commissioner; or

14 (3) An instructor of courses conducted through an  
accredited college, accredited university or accredited  
16 or approved high school or conducted by certification  
maintenance course sponsors approved by the Registry  
18 of Interpreters for the Deaf, Inc. or the National  
Association of the Deaf, Inc., or a comparable or  
20 successor organization of either recognized by the  
commissioner; and  
22

**5. Proof of education and training in interpreting process.**  
24 Written Except as provided in this section, written proof of  
completion of at least 100 clock hours of instruction in the  
26 interpreting process, which must include instruction in deaf  
culture and the ethics of interpreting, conducted through an  
28 accredited college, accredited university or accredited or  
approved high school or conducted by certification maintenance  
30 course sponsors approved by the Registry of Interpreters for the  
Deaf, Inc. or the National Association of the Deaf, Inc., or a  
32 comparable or successor organization of either recognized by the  
commissioner. Credit may not be given for interpreting process  
34 clock hours that were completed prior to 5 years from the date of  
application.  
36

38 As an alternative to satisfying subsections 4 and 5, an  
applicant for licensure as a limited interpreter or limited  
transliterator may submit documentation of a score of 3.5 or  
40 higher on the Educational Interpreter Performance Assessment, or  
successor assessment.  
42

44 **Sec. 2. 32 MRSA §1527**, as amended by PL 1999, c. 399, §14 and  
affected by §20, is further amended to read:

46 **§1527. Applications for licensure; fees**

48 An applicant for initial licensure, pursuant to section  
1524, 1524-A or 1524-B, shall submit a written application with  
50 supporting documents to the department on forms provided by the

2 department. The applicant shall pay a nonrefundable application  
3 fee established by the department in an amount not to exceed \$50,  
4 and an initial license fee not to exceed \$300, except that an  
5 applicant who is deaf must pay an initial license fee of \$100.

6 **Sec. 3. 32 MRSA §1528**, as amended by PL 1999, c. 399, §14 and  
7 affected by §20, is further amended to read:

8  
9 **§1528. Renewal**

10 All licenses must be renewed annually on or before June 30th  
11 of each year or at such other time as the commissioner may  
12 designate. The annual license renewal fee must be established by  
13 the department by rulemaking and may not exceed \$300, except that  
14 an applicant who is deaf must pay an annual license renewal fee  
15 of \$100. The commissioner shall notify each licensee, at the  
16 licensee's last known address, 30 days in advance of the  
17 expiration of the license. Renewal notices must be on forms  
18 provided by the department. A license not renewed by June 30th  
19 automatically expires. The department may renew an expired  
20 license if the renewal application is returned within 90 days  
21 after the license expiration date and upon payment of a late fee  
22 of \$10 in addition to the renewal fee. A person who submits an  
23 application for renewal more than 90 days after the license  
24 expiration date is subject to all requirements governing new  
25 applicants under this chapter.

26  
27 **Sec. 4. 32 MRSA §1528-A, sub-§1**, as enacted by PL 1999, c.  
28 399, §15 and affected by §20, is amended to read:

29  
30 **1. Limited interpreters.** An application for renewal of a  
31 limited interpreter, limited transliterator or limited deaf  
32 interpreter license must show proof of completion of at least 15  
33 20 hours annually of continuing education in American Sign  
34 Language or the interpreting process. ~~This subsection does not  
35 apply to interpreters, transliterators and deaf interpreters who  
36 obtain limited licensure status pursuant to section 1532 and who  
37 have not completed the educational and training requirements set  
38 forth in section 1524, subsection 4 or section 1524-A, subsection  
39 3.~~

40  
41 **Sec. 5. 32 MRSA §1531**, as enacted by PL 1999, c. 399, §17 and  
42 affected by §20, is amended to read:

43  
44 **§1531. Disclosure**

45 All interpreters licensed pursuant to this chapter shall  
46 disclose their license category, ~~training and experience~~ with  
47 specific certifications held and any postsecondary degrees to  
48 consumers and to the person or persons engaging the interpreter's  
49 services.

2 services. The content and form of the disclosure must be  
developed by the department pursuant to rule-making provisions of  
4 the Maine Administrative Procedure Act. Rules adopted pursuant  
to this section are routine technical rules pursuant to Title 5,  
6 chapter 375, subchapter II-A 2-A.

8 **Sec. 6. 32 MRSA §1532**, as enacted by PL 1999, c. 399, §17 and  
affected by §20, is repealed.

10  
12 **SUMMARY**

14 This bill makes the following changes to the laws governing  
licensure for interpreters for the deaf and hard-of-hearing:

16 1. It provides that achieving a score of 3.5 on the  
Educational Interpreter Performance Assessment may be used as an  
18 additional method of obtaining licensure as a limited interpreter  
for the deaf or hard-of-hearing or a limited transliterator;

20 2. It eliminates the requirement that an interpreter  
22 disclose the interpreter's training and experience to a consumer  
or persons utilizing the services of the interpreter in order to  
24 make the disclosure more meaningful to the consumer and less  
burdensome for the interpreter;

26 3. It decreases the initial and renewal license fees for  
28 applicants who are deaf from \$300 to \$100;

30 4. It increases from 15 to 20 the annual number of hours  
of continuing education that must be completed by persons  
32 licensed as limited interpreters, limited transliterators and  
limited deaf interpreters; and

34 5. It repeals transitional language relating to  
36 qualifications for limited licenses.