

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

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FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2005

§6208. Review panel; review and decision on grant applications

1. Composition of review panel. A review panel is established consisting of the following members:

A. The Director of the State Planning Office within the Executive Department or the director's designee;

B. The commissioner or the commissioner's designee;

C. A representative of the Department of Economic and Community Development, appointed by the Governor;

D. One representative of a county or regional government subdivision recommended by a statewide organization representing counties or regional service providers, appointed by the Governor;

E. Two representatives of municipal government, recommended by the Maine Municipal Association, who currently serve or formerly served as municipal officers or chief administrative officials of municipalities, with one representing a rural community with a population of less than 4,000 and one representing a suburban community with a population of 4,000 or more, appointed by the Governor; and

F. One representative of a service center community recommended by the Maine Service Centers Coalition or its successor organization, appointed by the Governor.

2. Review panel duties. The review panel established in subsection 1 shall:

A. Determine whether each eligible applicant for a cooperative services grant or planning grant meets the eligibility criteria under section 6205 and provide written notice to that applicant of its eligibility determination; and

B. In accordance with the request for proposals issued under section 6209, review and rank proposals from applicants eligible for cooperative services grants and planning grants under section 6205 against the funding criteria defined in section 6207 and award cooperative services grants or planning grants to proposals that best meet the funding criteria in section 6207 subject to availability of funding.

Prior to issuing the request for proposals as provided in section 6209, the department shall consult with the

review panel, which may suggest criteria for consideration by the department.

§6209. Request for proposals

No later than November 1st of each year, the department shall issue a request for proposals in accordance with the Bureau of General Services Rules, Chapter 110 that includes the schedules for submission and action on applications for grants under this chapter; procedures for scoring and ranking those applications; and procedures and information requirements related to application submissions. The department shall provide reasonable notice to all eligible applicants about the availability of the fund and the solicitation of grant proposals.

§6210. Report

By October 1st of each year, the department shall provide an annual report to the Intergovernmental Advisory Group established by Title 5, section 12004-I, subsection 75-C and to the joint standing committee of the Legislature having jurisdiction over state and local government matters. The annual report must:

1. Itemize disbursements. Itemize disbursements from and indicate the current balance of the fund;

2. Describe barriers or incentives. Describe any barriers to or incentives for regionalization identified by the department through its administration of the fund;

3. Identify lessons. Identify lessons from which other eligible applicants may learn and best practices that other eligible applicants may follow; and

4. Describe efforts. Describe the effect of the grants awarded, including the success of regional efforts and the amount of documented and anticipated property tax savings.

See title page for effective date.

CHAPTER 267

S.P. 467 - L.D. 1340

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

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

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

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

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:

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

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

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

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

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

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

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

B. Submission of a letter attesting that the applicant's skill level is equivalent to a person who has completed 100 hours of instruction in American Sign Language. The letter must be prepared and signed by:

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

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

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

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

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 higher on the Educational Interpreter Performance Assessment, or successor assessment.

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

§1527. Applications for licensure; fees

An applicant for initial licensure, pursuant to section 1524, 1524-A or 1524-B, shall submit a written application with supporting documents to the department on forms provided by the department. The applicant shall pay a nonrefundable application fee established by the department in an amount not to exceed \$50, and an initial license fee not to exceed ~~\$300~~ \$325, except that an applicant who is deaf must pay an initial license fee of \$100.

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

§1528. Renewal

All licenses must be renewed annually on or before June 30th of each year or at such other time as the commissioner may designate. The annual license renewal fee must be established by the department by rulemaking and may not exceed \$300 \$325, except that an applicant who is deaf must pay an annual license renewal fee of \$100. The commissioner shall notify each licensee, at the licensee's last known address, 30 days in advance of the expiration of the license. Renewal notices must be on forms provided by the department. A license not renewed by June 30th automatically expires. The department may renew an expired license if the renewal application is returned within 90 days after the license expiration date and upon payment of a late fee of \$10 in addition to the renewal fee. A person who submits an application for renewal more than 90 days after the license expiration date is subject to all requirements governing new applicants under this chapter.

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

1. Limited interpreters. An application for renewal of a limited interpreter, limited transliterator or limited deaf interpreter license must show proof of completion of at least ~~45~~ 20 hours annually of continuing education in American Sign Language or the interpreting process. ~~This subsection does not apply to interpreters, transliterators and deaf interpreters who obtain limited licensure status pursuant to section 1532 and who have not completed the educational and training requirements set forth in section 1524, subsection 4 or section 1524-A, subsection 3.~~

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

§1531. Disclosure

All interpreters licensed pursuant to this chapter shall disclose their license category, ~~training and experience with specific certifications held and any postsecondary degrees~~ to consumers and to the person or persons engaging the interpreter's services. The content and form of the disclosure must be developed by the department pursuant to rule-making provisions of the Maine Administrative Procedure Act. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

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

See title page for effective date.

CHAPTER 268

S.P. 204 - L.D. 649

An Act To Provide Access to Maine's Resources to Certain Veterans

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation provides certain benefits to homecoming veterans of the Iraq War; and

Whereas, these benefits, such as a free one-year fishing license and free access to state parks would need to begin before the 90-day period ends; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §1819-A is enacted to read:

§1819-A. Day use passes for certain veterans

Notwithstanding section 1819, the commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free day use pass to state parks and historic sites to each veteran determined by the Department of Defense, Veterans and Emergency Management to meet the criteria established in Title 37-B, section 6. The pass entitles the holder, and the holder's spouse and children when accompanied by the holder, to admission free of charge to all state parks and historic sites for the period described in Title 37-B, section 6. This section is repealed June 30, 2010.

Sec. 2. 12 MRSA §10853, sub-§13 is enacted to read:

13. Certain veterans. The commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free resident hunting license and a free resident fishing license to each veteran determined by the Department of Defense, Veterans and Emergency Management to