

Office of Policy and Legal Analysis

Date: 2/9/2021

To: Joint Standing Committee on Innovation, Development, Economic Advancement and Business

From: Rachel Olson, Legislative Analyst

Re: LD 18 *An Act To Clarify the American Sign Language Licensing Laws* (Curry)

Bill Summary

This bill amends the components of the conditional interpreter and conditional deaf interpreter license requirements. Previous legislation, Public Law 2019, Chapter 284, was structured in a manner that provided that an individual applying for conditional licensure must only document one of four possible options related to education and training. This bill separates the two elements, one part related to education requirements and a second part related to knowledge exams, and requires individuals to show that they have met one of the two options for education and one of the two options for knowledge exams. It also adds a definition of conditional license within the definitions section of the statute.

Summary of Testimony ([Link to Testimony](#))

Proponents

- This bill is a technical fix, makes no substantive changes.
- Was slated to be considered last session, but was not because of the premature end of session.
- PL 2019, Ch. 284 was passed with a grammatical error. As it currently reads an applicant for conditional licensure only needs to show one component: either education or training, not both. Intent was to have applicants show proof of meeting both the educational and training requirements.
- Consequences of poor interpretation can be significant, change is essential to meet national standards.
- Mistakes in interpretation can have dire consequences for those who rely upon it – so important to have a qualified interpreter, this bill ensures that.

Opponents

- None

Neither For Nor Against

- Concerns related to specific language in the statute. Concerned that the language needs clarity and to be evaluated for accuracy.

Potential Issues or Technical Problems:

- If the bill is enacted, the alternative educational pathway option for those holding a limited license would be extended to include those holding such a license on the effective date of this new law. Currently, only those holding the license on the effective date of the prior law have the alternative pathway option.
- The definition for conditional license under Sec. 1 repeats the requirements outlined in §1524-C. This could lead to conflicts in law if §1524-C is amended in the future. Could refer to the section of statute with the requirements for a conditional license rather than restating the requirements within the definition.
- According to the Center for Assessment of Sign Language Interpretation (CASLI), which administers the knowledge exams for the Registry of Interpreters for the Deaf, Inc. (RID) certification, there are no longer two separate knowledge exams. Instead of a knowledge exam for those seeking national interpreter certification and a separate knowledge exam for those seeking to be a certified deaf interpreter, they are just offering one knowledge exam called the CASLI Generalist Knowledge Exam.
- According to Gallaudet University, who delivers and evaluates the interview, scores on the American Sign Language proficiency interview are issued on a 0-5 rating scale. Scores can be issued with a “+” (ex. 3+), but not as .5 (ex. 3.5). The interview scores represent proficiency levels, not pass/fail levels. A passing score is determined by agencies and organization requiring the interview as a component of credentialing.

Information Requests:

1. *Would this prevent parents of deaf children from getting a conditional license because they do not have formal education?*

According to 32 MRSA §1524-A, to be licensed as a certified interpreter or certified deaf interpreter (CDI) in Maine, one must show proof of valid certification by the Registry of Interpreters for the Deaf, Inc. (RID). According to RID, to obtain RID certification, one must have at least a bachelor’s degree in any major (for CDI this requirement begins May 2021, it was previously an associate degree). Under this bill, the education component for a conditional license is an associate degree or higher in American Sign Language, American Sign Language interpreting or deaf studies.

Preliminary Fiscal Impact:

According to the preliminary fiscal impact statement: No fiscal note required.

Included:

[Public Law 2019, Chapter 284](#)

[LD 1751 from 129th](#)

[32 MRSA Chapter 22 American Sign Language Interpreters](#)

[Fiscal Impact Statement](#)