

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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February 5, 2002 LB 22

CLERK: Mr. President,...

SPEAKER KRISTENSEN: Mr. Clerk.

CLERK: ...Senator Suttle would move to amend with AM2306.
(Legislative Journal page 388.)

SPEAKER KRISTENSEN: Senator Suttle, you're recognized to open
on your amendment.

SENATOR SUTTLE: Thank you, Mr. President. Members of the Legislature, let me assure Senator Wehrbein, right off the top, that this amendment will not have a fiscal impact. I knew you...I even got one of these from him. AM2306 is more streamlined than the original LB 22 and the committee amendments. The amendment will require the Commission for the Deaf and Hard of Hearing to license sign language interpreters as in the original bill, but also offers the state a protection from liability under the federal American (sic--Americans) with Disabilities Act. The amendment drops all references to requiring licensure of qualified educational interpreters for use in schools, and allows the State Department of Education to regulate them under the current Rule 51. Current state law specifies that the court system, the Legislature, and law enforcement agencies must use the services of a qualified interpreter when they receive a request for a sign language interpreter. This law was enacted by the Legislature in response to the enactment of the ADA on the federal level. The ADA prohibits states from excluding deaf or hard-of-hearing persons from participation in the benefits of the services, programs, and activities of the state. The federal law does not specifically indicate what states must do to comply with this provision. One option for the state is to obtain the services of a sign language interpreter. Under the A and...if the state uses the interpreter, the ADA says the interpreter must be, quote, qualified. Under the ADA, states have the right to enact a stricter definition of who is qualified to interpret. This amendment says that such interpreters must be licensed. Practically speaking, when a person who is deaf or hard of hearing approaches a state agency, that person can request, under ADA, a qualified interpreter. But neither the state nor