

SENATE BILL REPORT

ESHB 2769

AS REPORTED BY COMMITTEE ON ENERGY & UTILITIES, FEBRUARY 27, 1992

Brief Description: Changing provisions regarding telecommunications relay service.

SPONSORS: House Committee on Energy & Utilities (originally sponsored by Representatives Cooper, H. Myers, Grant, Miller, Dellwo, Belcher and Jacobsen)

HOUSE COMMITTEE ON ENERGY & UTILITIES

SENATE COMMITTEE ON ENERGY & UTILITIES

Majority Report: Do pass as amended.

Signed by Senators Thorsness, Chairman; Saling, Vice Chairman; Jesernig, Nelson, Patterson, Roach, Stratton, Sutherland, and Williams.

Staff: Phil Moeller (786-7445)

Hearing Dates: February 21, 1992; February 25, 1992; February 27, 1992

BACKGROUND:

In 1987 the Legislature enacted a program to distribute state-owned devices to the hearing-impaired community that allow these citizens to communicate through the telecommunications network. These devices are referred to as "Telecommunications Devices for the Deaf" or "TDDs," and include a range of equipment such as simple amplifiers, machines with a keyboard that also provides text readout, and machines for citizens who are both deaf and blind. The most common of these devices are known as text telephones (TTs).

This program also authorized a statewide relay system for hearing-impaired to communicate with the hearing community, through a group of third-party interpreters referred to as "communications assistants". This system became operational in November, 1989 and is known as the Telecommunications Relay Services (TRS).

The TRS (TDD) program is funded by an excise tax on each telephone line. A maximum of 10 cents per month is specified, with the Utilities and Transportation Commission (UTC) setting the amount at cost, but under the ceiling. The program cost currently exceeds receipts but has survived until now on an early surplus generated before the relay service went into operation.

The Legislature reauthorized this program in 1990 and extended it to the speech-impaired. Later in 1990, Congress enacted

and the President signed the Americans with Disabilities Act (ADA), a measure that required all states to eventually develop relay services similar to the Washington program.

Federal requirements for these relay systems, both in the ADA and in directives from the Federal Communications Commission (FCC), affect the future of the established relay system in Washington. In response to this uncertainty, in 1991 the Legislature created a task force to provide recommendations on the future of the relay service. The task force reported to the Legislature in December, 1991, with nine specific recommendations on the future of the relay system.

SUMMARY:

The new terminology referring to the TRS and TTs is inserted throughout.

DSHS shall apply to the FCC by October 1, 1992 to have a state-controlled TRS program. DSHS shall select a contractor for the operations of the program and have a revised program in operation by July 26, 1993.

The telephone excise tax ceiling is raised to 14 cents per month.

Intrastate long distance calls made in conjunction with the TRS program shall be billed at discounted rates, with a minimum discount set by the UTC.

Measures shall be taken to ensure the present program remains viable until the revised program is fully operational.

DSHS will continue to distribute TTs. Reporting requirements of DSHS are modified slightly as are the duties of the program's advisory committee.

Appropriation: none

Revenue: none

Fiscal Note: available

SUMMARY OF PROPOSED SENATE AMENDMENT:

New terminology referring to the TRS and TTs is inserted throughout the bill. The telephone excise tax ceiling remains at 10 cents per month per access line.

The Office of Deaf Services within the Department of Social and Health Services shall seek certification by the Federal Communications Commission of the statewide relay service for the hearing-impaired and speech-impaired. The Office of Deaf Services (the office) shall award contracts for the operation and maintenance of the relay service for service commencing July 26, 1993. Any entity awarded the contract must be registered as telecommunications company by the Utilities and Transportation Commission prior to final contract approval.

When considering contracts for TDD equipment, the office may consider the quality of equipment and award contracts on a basis other than cost.

The Utilities and Transportation Commission shall provide specific data to the office on the number of access lines in the state for the use of the office in determining the rate of the TDD excise tax.

The TDD advisory committee shall report at least four times per year to the administrators and operators of the statewide relay service on the effectiveness of the program.

Each telecommunications company providing intrastate interexchange voice transmission service shall offer discounts for service used in conjunction with the relay service.

TESTIMONY FOR:

This bill is needed this session because of the requirements imposed by the Americans with Disabilities Act. The bill will provide for a smooth transition from the present system to the system operated by a contractor.

TESTIMONY AGAINST: None

TESTIFIED: Lori Breslow, DSHS (pro with amendments); Leon Curtis, DSHS (pro with amendments); Mat Burns (pro with amendments); Bob Bratton, GTE (pro)