

**SENATE BILL REPORT**

**SB 6377**

**AS REPORTED BY COMMITTEE ON ENERGY & UTILITIES, FEBRUARY 6, 1992**

**Brief Description:** Modifying provisions for the awarding of TDD distribution and maintenance contracts.

**SPONSORS:** Senator Thorsness

**SENATE COMMITTEE ON ENERGY & UTILITIES**

**Majority Report:** That Substitute Senate Bill No. 6377 be substituted therefor, and the substitute bill do pass.

Signed by Senators Thorsness, Chairman; Jesernig, Roach, Stratton, and Sutherland.

**Staff:** Phil Moeller (786-7445)

**Hearing Dates:** January 30, 1992; February 6, 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 includes 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.

This program also authorized a statewide relay system for hearing-impaired to communicate with the hearing community, through a group of third-party interpreters. This system became operational in November, 1989.

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, 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.

**SUMMARY:**

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 1, 1993. Any entity awarded the contract must be registered as telecommunications company by the Utilities and Transportation Commission.

The cap of the TDD excise tax is raised from 10 cents per line per month to 20 cents per line per month. When considering contracts for TDD equipment, the Office may consider the quality of equipment and award contracts on a basis other than cost.

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.

The Utilities and Transportation Commission shall require local exchange companies to file tariffs with discounted intrastate long distance service used in conjunction with the relay service. The UTC is required to consider the additional time required to translate calls through relay system operators.

**EFFECT OF PROPOSED SUBSTITUTE:**

Contracts for the operation and maintenance of the relay service shall be for service beginning July 26, 1993. Entities other than registered telecommunications companies may be awarded a contract if qualified by the office and approved as a registered telecommunications company before the final contract is approved.

The cap of the TDD excise tax remains at 10 cents per line per month.

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.

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

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** requested January 29, 1992

**TESTIMONY FOR:**

The bill provides needed changes to conform with the federal Americans With Disabilities Act. This is a necessary service that should be contracted to a qualified entity.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Roger Pendergraft, Washington State Assn. of the Deaf; Leon Curtis, Office of Deaf Services; Lori Beeslow, TDD Program; Matt Burns, TDD Adv. Committee; Ricky Dockter, Tacoma Assn. of Deaf; Bob Bratton, GTE