

HOUSE BILL REPORT

SSB 5536

*As Reported By House Committee on:
Energy & Utilities
Appropriations*

Title: An act relating to establishing the telecommunications devices for the deaf task force.

Brief Description: Studying the state's telecommunication services for the hearing impaired.

Sponsor(s): Senate Committee on Energy & Utilities (originally sponsored by Senators Thorsness, Rasmussen, Madsen, L. Kreidler, A. Smith, Erwin, Newhouse, Jesernig, Sutherland, Saling, Bauer and Stratton).

Brief History:

Reported by House Committee on:
Energy & Utilities, April 2, 1991, DP;
Appropriations, April 8, 1991, DPA.

**HOUSE COMMITTEE ON
ENERGY & UTILITIES**

Majority Report: *Do pass.* Signed by 11 members: Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

Staff: Fred Adair (786-7113).

Background: The Department of Social and Health Services (DSHS) operates the Washington State Telecommunications Devices for the Deaf (TDD) Program which includes the Washington State Telecommunications Relay Service (WSTRS). TheWSTRS began in 1989 and it enables hearing-impaired and speech-impaired persons to communicate through an operator and TDD machines with hearing persons over regular telephone lines.

There is a TDD Advisory Committee with representation from the hearing-impaired and speech-impaired communities, and from the telecommunications industry that advises DSHS on the operation of the program and the relay system. DSHS provided the Legislature with a report in December 1990 on

the status of the WSTRS, and identified issues that needed to be addressed on the future operation of the service.

The report discussed possibly contracting out the system's operation or creation of a nonprofit entity to operate the system. Other major issues discussed were the high blockage rate, limitations on demand, toll call billing, regional systems with other states, and technological changes.

In July 1990, Congress enacted the Americans with Disabilities Act (ADA) which requires telephone companies to provide TDD relay services no later than July 1993. A permitted alternative is to have a statewide system that complies with the requirements of the law. The Federal Communications Commission (FCC) must promulgate rules by July 1991 for the implementation of the ADA. The rules may require that relay systems be operated and funded in a different fashion than is currently the case with the WSTRS.

Summary of Bill: The TDD Task Force is created, consisting of the directors or designees of DSHS and the Department of Information Services (DIS), and the chair or designee from the Utilities and Transportation Commission (UTC). DIS is to be the lead agency. The task force is to assemble a working group with broad representation, including interstate and intrastate telephone carriers and, to the extent possible, members of the TDD Advisory Committee.

The task force, with the assistance of the working group, shall prepare and present a report to the Energy and Utilities Committees of the Senate and House of Representatives by December 15, 1991. The report shall recommend legislative or other action to address the problems identified by DSHS in its 1990 report and the requirements of the ADA and the FCC regulations.

The report is also to contain a recommendation on whether to continue the work of the task force.

There is a \$20,000 appropriation from the General Fund to DIS.

Fiscal Note: Available.

Appropriation: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Changes may be necessitated by forthcoming FCC rules. Also, issues such as who should operate the TDD program, billing issues (for instance, the ADA requires long

distance billing), and reducing the high blockage rate need to be studied.

Testimony Against: None.

Witnesses: Patty Hughes, Department of Social and Health Services.

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *Do pass as amended.* Signed by 29 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Staff: Karl Herzog (786-7271).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Energy & Utilities: The \$20,000 appropriation from the General Fund to the Department of Information Services is deleted.

Fiscal Note: Available.

Appropriation: Removed.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The Department of Information Services was "drafted" because the original bill had the Utilities and Transportation Commission leading the Telecommunications Devices for the Deaf Task Force. The UTC indicated a conflict of interest as a regulatory agency and asked that the task force leadership be shifted. DIS can carry out the responsibilities assigned by the bill.

Testimony Against: None.

Witnesses: Sam Hunt, Department of Information Services.