

HOUSE BILL REPORT

HB 2769

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

Title: An act relating to changes in the telecommunications relay service.

Brief Description: Changing provisions regarding telecommunications relay service.

Sponsor(s): Representatives Cooper, H. Myers, Grant, Miller, Dellwo, Belcher and Jacobsen.

Brief History:

Reported by House Committee on:
Energy & Utilities, February 4, 1992, DPS.

**HOUSE COMMITTEE ON
ENERGY & UTILITIES**

Majority Report: *The substitute bill be substituted therefor and the substitute bill 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 Telecommunications Devices for the Deaf (TDD) Program was established in 1987. The program now has a new name, that of Telecommunications Relay Service (TRS). This program consists of furnishing hearing and speech-impaired persons with TDDs and providing a relay service.

The TDDs, which now are called text telephones (TTs), are teletypewriters that have a typewriter keyboard and a readable display that couples with a telephone. The devices allow persons to make telephone calls directly to another person possessing similar equipment.

The relay service enables a TT user to communicate with a hearing person via an operator, also referred to as a "Communications Assistant," who converts printed text to spoken words and vice-versa.

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 greatly exceeds receipts but has survived until now on an early surplus generated before the relay service went into operation. The surplus should be gone this year.

The federal Americans with Disabilities Act requires establishment of a TRS by July 1993. States may control the program or leave it to the Federal Communications Commission (FCC) and telecommunications companies. The federal legislation and subsequent FCC rules insist on nomenclature changes. "TT" and "TRS" are the appropriate terms.

The program has been operated directly by the Department of Social and Health Services (DSHS). Some people have expressed a preference for a different management arrangement.

All of these factors led to legislative direction that a study of the program be done and recommendations be made concerning its form in the future. This bill embodies most of the study recommendations.

Summary of Substitute Bill: The new terminology is inserted throughout.

DSHS shall apply to the FCC by October 1, 1992 to have a state-controlled program. DSHS shall contract out the program and have a revised program in operation by July 26, 1993.

The telephone excise tax ceiling is raised to 20 cents per month.

Both interstate and intrastate long distance calls in the program shall be billed. Billing shall reflect the difference in speed of communication between voice and text telephone transmissions.

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.

Substitute Bill Compared to Original Bill: Some definitions are clarified and updated. TTs will be provided to

organizations serving those with hearing or speech disabilities. TTs will continue to be given to those organizations representing them. The excise tax determination process is modified such that DSHS makes the determination after UTC provides the number of telephone lines. The bill is clarified to indicate that interexchange telecommunications carriers are responsible for long distance call billing.

Fiscal Note: Available.

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

Testimony For: Strong support was expressed for the program. Some testifiers wanted the relay service to continue operating within the state. The UTC wishes clarification that the budget for the program is determined by DSHS.

Testimony Against: None.

Witnesses: Leon Curtis and Lori Breslow, Office of Deaf Programs, DSHS (Pro); Matt Burns, Washington State Association of the Deaf (Pro); Jack Doyle, Pacific Telecommunications (Pro); and Carol Monohon and Susan McAdams, UTC (No Position).