

SENATE BILL REPORT

SB 5536

**AS REPORTED BY COMMITTEE ON ENERGY & UTILITIES,
FEBRUARY 15, 1991**

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

SPONSORS: Senators Thorsness, Rasmussen, Madsen, L. Kreidler, A. Smith, Erwin, Newhouse, Jesernig, Sutherland, Saling, Bauer and Stratton.

SENATE COMMITTEE ON ENERGY & UTILITIES

Majority Report: That Substitute Senate Bill No. 5536 be substituted therefor, and the substitute bill do pass.

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

Minority Report: Do not pass.

Signed by Senator Williams.

Staff: Dave Monthie (786-7198)

Hearing Dates: February 14, 1991; February 15, 1991

BACKGROUND:

The Department of Social and Health Services (DSHS) operates the Washington State Telecommunications Devices for the Deaf (TDD) Relay Service (WSTRS). TheWSTRS was authorized by the Legislature in 1987 and began operation in 1989. It enables hearing-impaired and speech-impaired persons to communicate through an operator and TDD machines with hearing persons over regular telephone lines. It is funded with an excise tax on all local exchange lines, capped at 10 cents per line. 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 relay system. DSHS provided the Legislature with a report in December, 1990 on the status of theWSTRS, and identified issues that needed to be addressed on the future operation of the service, including contracting out the operation or creation of a nonprofit entity to operate the system. Other major issues include a 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). That federal legislation requires telephone companies in every state 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 must promulgate rules by July, 1991 for the implementation of the ADA. Those rules may require that relay systems be operated and funded in a different fashion than is currently the case with the WSTRS.

SUMMARY:

The Telecommunications Devices for the Deaf Task Force is created. Its members consist of the directors, or designees, of the Departments of Social and Health Services and of Information Services, and the chair or designee from the Utilities and Transportation Commission (UTC). The UTC 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, is to report to the Energy and Utilities Committees of the Senate and House of Representatives by December 15, 1991. The report is to provide recommendations or propose alternatives for legislative 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.

EFFECT OF PROPOSED SUBSTITUTE:

The Department of Information Services is made the lead agency, and the general fund appropriation is made to DIS instead of UTC.

Appropriation: \$20,000 is appropriated from the general fund.

Revenue: none

Fiscal Note: requested February 13, 1991

TESTIMONY FOR:

The task force is a good idea in order to analyze policy questions and propose options to the Legislature. The Department of Information Services is willing to be the lead agency.

TESTIMONY AGAINST: None

TESTIFIED: Thelma Struck, DSHS (pro with amendments); Patty Hughes, DSHS (pro with amendments); Carol Monohon, UTC (pro with amendments); Sam Hunt, DIS (pro with amendments)