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**SUBSTITUTE SENATE BILL 5536**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

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

Read first time February 18, 1991.

1       AN ACT Relating to establishing the telecommunications devices for  
2 the deaf task force; creating new sections; and making an  
3 appropriation.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION.   **Sec. 1.**       The legislature finds that:

6       (1) Operation of the state-wide telecommunications devices for the  
7 deaf (TDD) relay service has become an integral and important part of  
8 the state's telecommunications network;

9       (2) The Washington state TDD relay service (WSTRS) has, since it  
10 began twenty-four-hour operation in November 1989, provided pioneering  
11 service to the deaf, hearing-impaired, and speech-impaired citizens of  
12 this state by utilizing the best available technology;

13       (3) In its report to the legislature in December 1990, the  
14 department of social and health services identified a number of major  
15 issues and alternative approaches for the continued operation of the

1 WSTRS, including blockage rate, limitations on demand for system usage,  
2 funding, operational structure, toll call billing, regional systems  
3 with other states, and technological changes;

4 (4) The federal Americans with disabilities act (ADA), enacted in  
5 July 1990, requires that state-wide TDD relay services must be  
6 available in every state by July 1993, and must comply with the  
7 requirements of the federal legislation and with regulations to be  
8 adopted by the federal communications commission by July 1991; and

9 (5) It is in the best interests of the citizens of this state that  
10 the provision of state-wide TDD relay services in Washington be  
11 assessed in light of the new federal requirements, the ongoing problems  
12 and issues identified in the department of social and health services  
13 report, and potentially cost-effective technological improvements.

14 NEW SECTION. **Sec. 2.** (1) The telecommunications devices for  
15 the deaf (TDD) task force is created, consisting of the secretary of  
16 the department of social and health services and the director of the  
17 department of information services, or their designees, and the chair  
18 of the utilities and transportation commission, or his or her designee.  
19 The department of information services shall serve as the lead agency  
20 of the task force.

21 (2) The task force shall create a working group that includes  
22 representatives of a broad range of affected interests, including  
23 telecommunications companies engaged in both interstate and intrastate  
24 communications, the hearing-impaired communities and agencies, and the  
25 speech-impaired community and agencies. To the extent possible, the  
26 members of the working group should be persons that have been or are  
27 members of the TDD advisory committee established under RCW 43.20A.730.  
28 The working group shall provide information, advice, and technical  
29 assistance to the task force.

1 (3) The task force shall report to the energy and utilities  
2 committees of the house of representatives and the senate by December  
3 15, 1991, on its findings and recommendations. The report shall, at a  
4 minimum, address the following:

5 (a) The requirements of the Americans with disabilities act, and  
6 the regulations promulgated by the federal communications commission to  
7 implement the act, including federal requirements as to funding  
8 mechanisms, blockage rate, and confidentiality;

9 (b) The issues identified in the December 1990 report of the  
10 department of social and health services with regard to the operation  
11 of the Washington state TDD relay service, and particularly alternative  
12 operation and management structures, the utility of new cost-effective  
13 technology, regional cooperation with other states, competition and  
14 access to a variety of local carriers, utilization of the state's SCAN  
15 lines, and line blockage;

16 (c) The advantages and disadvantages of allowing carriers to  
17 determine how they should meet the requirements of the Americans with  
18 disabilities act, or whether the state should take the lead in devising  
19 or maintaining a state-wide TDD relay system that would meet those  
20 requirements; and

21 (d) Whether the task force should continue its work on issues that  
22 are complex, where there appears to be no consensus on any proposed  
23 direction or solution, or where the requirements of federal law have  
24 not been made clear.

25 The report shall contain recommendations or alternatives for  
26 legislative action.

27 NEW SECTION. **Sec. 3.** The sum of twenty thousand dollars, or  
28 as much thereof as may be necessary, is appropriated for the biennium  
29 ending June 30, 1993, from the general fund to the department of

1 information services for the purposes of this act.