

2011 -- H 5324

LC01047

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - PUBLIC UTILITIES COMMISSION

Introduced By: Representatives Naughton, Handy, Ferri, Messier, and Lally

Date Introduced: February 15, 2011

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-1-42 of the General Laws in Chapter 39-1 entitled "Public
2 Utilities Commission" is hereby amended to read as follows:

3 **39-1-42. Access to telephone information services for persons with disabilities.** -- (a)

4 The public utilities commission shall establish, administer and promote an information
5 accessibility service that includes:

6 (1) A statewide telephone relay service and, through the competitive bidding process,
7 contract for the administration and operation of such a relay system for utilization of the
8 telecommunications network by deaf, hard of hearing and speech impaired persons;

9 (2) The adaptive telephone equipment loan program capable of servicing the needs of
10 persons who are deaf, hard of hearing, severely speech impaired, or those with neuromuscular
11 impairments for use with a single party telephone line, to any subscriber who is certified as deaf,
12 hard of hearing, severely speech impaired, or with neuromuscular impairments by a licensed
13 physician, audiologist, speech pathologist, or a qualified state agency, pursuant to chapter 23 of
14 this title; and

15 (3) A telephone access to the text of newspaper programs to residents who are blind,
16 deaf or blind, visually impaired, or reading impaired with a single party telephone line.

17 (b) The commission shall establish, by rule or regulation, an appropriate funding
18 mechanism to recover the costs of providing this service from each residence and business
19 telephone access line or trunk in the state, including PBX trunks and centrex equivalent trunks

1 and each service line or trunk, and upon each user interface number or extension number or
2 similarly identifiable line, trunk, or path to or from a digital network. Notwithstanding the
3 foregoing, there shall not be any additional funding mechanism used to charge each residence and
4 business telephone access line or truck in the state, including PBX trunks and centrex equivalent
5 trunks and each service line or trunk, or upon each user interface number or extension number or
6 similarly identifiable line, trunk or path to or from a digital network, to recover the costs of
7 providing the services outlined in subsections (a)(1), (2) or (3) above.

8 (c) The commission, with the assistance of the state commission on the deaf and hard of
9 hearing, shall also develop the appropriate rules, regulations and service standards necessary to
10 implement the provisions of subsection (a)(1) of this section. At a minimum, however, the
11 commission shall require, under the terms of the contract, that the relay service provider:

- 12 (1) Offer its relay services seven (7) days a week, twenty-four (24) hours a day,
13 including holidays;
- 14 (2) Hire only qualified salaried operators with deaf language skills; and
- 15 (3) Maintain the confidentiality of all communications.
- 16 (d) [Deleted by P.L. 2004, ch. 504, section 3.]

17 (e) The commission shall collect from the telecommunications service providers the
18 amounts of the surcharge collected from their subscribers and remit to the department of human
19 services an additional ten thousand dollars (\$10,000) annually commencing in fiscal year 2005
20 for the adaptive telephone equipment loan program, ~~and~~ forty thousand dollars (\$40,000) to the
21 department of human services for the establishment of a new telephone access to the text of
22 newspaper programs, and eighty thousand dollars (\$80,000) be remitted to the Rhode Island
23 Commission on the Deaf and Hard-of-Hearing annually for emergency communication, and
24 public telecommunication access accommodations within the state, pursuant to section 23-1.8-4.

25 The surcharge referenced hereunder shall be generated from existing funding mechanisms and
26 shall not be generated as a result of any new funding mechanisms charged to each residence and
27 business telephone access line or trunk in the state, including PBX trunks and centrex equivalent
28 trunks and each service line or trunk, or upon each user interface number or extension number or
29 similarly identifiable line, trunk or path to or from a digital network.

30 SECTION 2. Chapter 23-1.8 of the General Laws entitled "Commission on the Deaf and
31 Hard-of-Hearing" is hereby amended by adding thereto the following section:

32 **23-1.8-4. Emergency communication and public telecommunication access fund. --**
33 (a) There is established the emergency communication and public telecommunication
34 access fund ("ECPTA fund"), which shall be utilized to create emergency communication and

1 public telecommunication access accommodations for deaf and hard-of-hearing people, pursuant
2 to subsection 39-1-42(e).

3 (b) The fund shall help to enhance the emergency communication system to alert deaf
4 and hard-of-hearing people to any type of emergencies in the state. The commission shall be
5 required to collaborate with the department of public safety for procedures and enhancements of
6 the emergency communication system as well as other agencies if needed to achieve emergency
7 communication.

8 (c) The fund shall purchase and install public telecommunication access equipment and
9 products at public sites for the deaf and hard-of-hearing citizens.

10 (d) The commission is authorized to establish, administer and promote its emergency
11 communication and public communication access program.

12 (e) The commission is authorized to make purchases specifically for the (ECPTA)
13 program and empowered to receive donations and grants from sources including, but not limited
14 to, the federal government, governmental and private foundations, and corporate and individual
15 donors; these donations and grants to be deposited in the (ECPTA fund).

16 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would establish the emergency communication and public telecommunication
- 2 access fund to create an emergency communication program for the deaf and hard-of-hearing.
- 3 This act would take effect upon passage.

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