

House Committee To Pass 4/10/91

FILED 1991

SENATE FILE **318**
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SSB 182)

Passed Senate, Date 3/15/91 (p. 687) Passed House, Date 4/26/91 (p. 1605)
Vote: Ayes 48 Nays 0 Vote: Ayes 99 Nays 0
Approved May 22, 1991

Proposed Senate as amended by House
4/30/91 (p. 1546)
Ayes 49, Nays 0.

A BILL FOR

1 An Act creating a statewide dual party relay service system,
2 establishing telephone utility assessments, and authorizing
3 distribution of telecommunications devices to the deaf.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SSB 318

1 Section 1. NEW SECTION. 477C.1 DUAL PARTY RELAY SERVICE
2 -- PURPOSE.

3 The general assembly finds that the provision of a
4 statewide dual party relay service will further the public
5 interest and protect the health, safety, and welfare of the
6 people of Iowa through an increase in the usefulness and
7 availability of the telephone system. Many deaf, hearing-
8 impaired, and speech-impaired persons are not able to utilize
9 the telephone system without this type of service. Therefore,
10 it is the purpose of this chapter to enable the orderly
11 development, operation, promotion, and funding of a statewide
12 dual party relay service.

13 Sec. 2. NEW SECTION. 477C.2 DEFINITIONS.

14 As used in this chapter, unless the context otherwise
15 requires:

16 1. "Board" means the utilities board within the department
17 of commerce created in section 474.1.

18 2. "Communication impairment" means the inability to use
19 the telephone for communication without a telecommunications
20 device for the deaf.

21 3. "Council" means the dual party relay council
22 established in section 477C.5.

23 4. "Dual party relay service" or "relay service" means a
24 communication service which provides communication-impaired
25 persons access to the telephone system functionally equivalent
26 to the access available to persons not communication-impaired.

27 5. "Telecommunications device for the deaf" means any
28 specialized or supplemental telephone equipment used by
29 communication-impaired persons to provide access to the
30 telephone system.

31 Sec. 3. NEW SECTION. 477C.3 DUAL PARTY RELAY SERVICE.

32 With the advice of the council, the board shall plan,
33 establish, administer, and promote a statewide program to
34 provide dual party relay service as follows:

35 1. The board may enter into the necessary contracts and

1 arrangements with private entities to provide for the delivery
2 of relay service.

3 2. The relay service, to the extent reasonably possible,
4 shall allow persons with communication impairments to use the
5 telephone system in a manner and at a rate equivalent to
6 persons without communication impairments.

7 3. The relay service may be provided on a stand-alone
8 basis within the state, with other states, or with telephone
9 utilities providing relay service in other states.

10 4. The board may employ additional personnel, pursuant to
11 section 476.10, to plan, establish, administer, and promote
12 the relay service.

13 Sec. 4. NEW SECTION. 477C.4 TELECOMMUNICATIONS SERVICES
14 FOR THE DEAF.

15 With the advice of the council, the board may plan,
16 establish, administer, and promote a program to secure,
17 finance, and distribute telecommunications devices for the
18 deaf. The board may establish eligibility criteria for
19 persons to receive telecommunications devices for the deaf,
20 including, but not limited to, requiring certification that
21 the recipient cannot use the telephone for communication
22 without a telecommunications device for the deaf.

23 Sec. 5. NEW SECTION. 477C.5 DUAL PARTY RELAY SERVICE
24 COUNCIL.

25 1. A dual party relay service council is established,
26 consisting of eleven members appointed by the board. The
27 council shall advise the board on all matters concerning relay
28 service and equipment distribution programs.

29 2. The council shall consist of:

30 a. Six consumers who have communication impairments.

31 b. Two representatives from telephones companies.

32 c. One representative from the division of deaf services
33 of the department of human rights.

34 d. One representative from the office of the consumer
35 advocate of the department of justice.

1 e. One member of the board or a designee of the board.
2 3. Council members who are not state or local government
3 officers or employees shall be reimbursed for their necessary
4 and actual expenses incurred in performance of their duties
5 and shall receive a per diem of fifty dollars when the council
6 is meeting, payable from moneys available to the board
7 pursuant to section 477C.7.

8 Sec. 6. NEW SECTION. 477C.6 BUDGET.

9 The board shall review and approve the proposed annual
10 budget of the relay service program authorized in section
11 477C.3 and the equipment distribution program authorized in
12 section 477C.4.

13 Sec. 7. NEW SECTION. 477C.7 FUNDING.

14 The board shall impose an annual assessment to fund the
15 programs upon all telephone utilities providing service in the
16 state as follows:

17 1. The total assessment shall be allocated one-half to
18 local exchange telephone utilities and one-half to the
19 following telephone utilities:

- 20 a. Interexchange carriers.
- 21 b. Centralized equal access providers.
- 22 c. Alternative operator services companies.

23 2. The assessment shall be levied upon revenues from all
24 intrastate regulated, deregulated services, and exempt
25 telephone services under section 476.1.

26 3. The telephone utilities shall remit the assessed
27 amounts quarterly to a special fund, as defined under section
28 8.2, subsection 9. The moneys in the fund are appropriated
29 solely to plan, establish, administer, and promote the relay
30 service and equipment distribution programs.

31 4. The telephone utilities subject to assessment shall
32 provide the information requested by the board necessary for
33 implementation of the assessment.

34 5. The local exchange telephone utilities shall not
35 recover from intra-state access charges any portion of such

1 utilities assessment imposed under this section.

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EXPLANATION

3 This bill contains findings in support of the establishment
4 of a dual party relay service and directs the utilities board,
5 with the advice of the dual party relay service council
6 established by this bill, to implement a dual party relay
7 service system. In addition, the bill provides for the
8 funding of the service through an assessment of all intrastate
9 regulated, deregulated, or exempt telephone services.

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SENATE FILE 318

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H-3863

14

1 Amend Senate File 318, as passed by the Senate, as
2 follows:

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3 1. Page 4, by inserting after line 1 the
4 following:

16

5 "Sec. ____ . Section 601L.3, Code 1991, is amended
6 by adding the following new subsection:

17

7 NEW SUBSECTION. 14. Develop a plan to provide
8 telephone yellow pages information without charge to
9 persons declared to be blind under the standards in
10 section 422.12, subsection 1, paragraph "e". The
11 department may apply for federal funds to support the
12 service. The program shall be limited in scope by the
13 availability of funds."

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14 2. By renumbering as necessary.

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By HALVORSON of Clayton
BISIGNANO of Polk

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H-3863 FILED APRIL 25, 1991

Adopted 4/26/91 (p. 1606)

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HOUSE AMENDMENT TO
SENATE FILE 318

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S-3627

26

1 Amend Senate File 318, as passed by the Senate, as
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14 2. By renumbering as necessary.

RECEIVED FROM THE HOUSE

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S-3627 FILED APRIL 29, 1991

Senate considered 4/30/91 (p. 1544)

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SENATE FILE 318
FISCAL NOTE

A fiscal note for Senate File 318 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 318 requires the Utilities Division of the Department of Commerce to establish a dual party relay service system. The relay service allows communications-impaired Iowans to use the current telephone network. A Dual Party Relay Service Council is also established to serve in an advisory capacity to the Utilities Division with regard to the service. Funding for the system is provided through an assessment of all telephone services.

ASSUMPTIONS

- A. The Utilities Board will contract with a provider of operators to translate between telecommunications devices for the communication-impaired.
- B. The contractor will also maintain telephone WATS lines, and the computer system to handle the link between communications-impaired and hearing telephone users.

FISCAL IMPACT

There is no net fiscal impact on the General Fund because all costs will be recovered through assessments against telephone utility providers. Since telephone utility companies will be assessed the costs of the program, it is possible that telephone rates to the consumer will increase.

(dollars in thousands)

	Fiscal Year 1992			Fiscal Year 1993		
	Current Law	Proposed Law	Increase (Decrease)	Current Law	Proposed Law	Increase (Decrease)
REVENUE						
Relay Fund	\$ 0	\$ 4,079	\$ 4,079	\$ 0	\$ 3,585	\$ 3,585
Total	\$ 0	\$ 4,079	\$ 4,079	\$ 0	\$ 3,585	\$ 3,585
EXPENDITURES						
Salaries	\$ 0	\$ 62	\$ 62	\$ 0	\$ 62	\$ 62
Support	0	42	42	0	23	23
Contract	0	3,975	3,975	0	3,500	3,500
Total	\$ 0	\$ 4,079	\$ 4,079	\$ 0	\$ 3,585	\$ 3,585
NET EFFECT	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Source: Utilities Division (Department of Commerce)

(LSB 1628sv, MAS)

FILED MARCH 13, 1991

BY DENNIS PROUTY, FISCAL DIRECTOR

DELUHERY, CH.
SURGEON
TIEDEN

SSB 182
COMMERCE

SENATE FILE 318
BY (PROPOSED COMMITTEE ON
COMMERCE BILL BY
CHAIRPERSON DELUHERY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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SENATE FILE 318

AN ACT

CREATING A STATEWIDE DUAL PARTY RELAY SERVICE SYSTEM, ESTABLISHING TELEPHONE UTILITY ASSESSMENTS, AND AUTHORIZING DISTRIBUTION OF TELECOMMUNICATIONS DEVICES TO THE DEAF.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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Sec. 8. Section 601L.3, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 14. Develop a plan to provide telephone yellow pages information without charge to persons declared to be blind under the standards in section 422.12, subsection 1, paragraph "e". The department may apply for federal funds to

support the service. The program shall be limited in scope by the availability of funds.

JOE J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 318, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved May 22, 1991

TERRY E. BRANSTAD
Governor

SF 318