

APR 13 2004
WAYS & MEANS CALENDAR

HOUSE FILE 2576
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2513)
(SUCCESSOR TO HF 2228)

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

A BILL FOR

1 An Act to establish an audio news and information services
2 program within the department for the blind, to establish an
3 equipment distribution program, to rename the dual party relay
4 service, and providing a contingent effective date.

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

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HF 2576

1 Section 1. Section 216B.3, Code Supplement 2003, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 18. Plan, establish, administer, and
4 promote a statewide program to provide audio news and
5 information services to blind or visually impaired persons
6 residing in this state.

7 a. The commission may enter into necessary contracts and
8 arrangements with the national federation for the blind to
9 provide for the delivery of newspapers over the telephone,
10 furnished by the national federation for the blind.

11 b. The commission may enter into necessary contracts and
12 arrangements with the Iowa radio reading information service
13 for the blind and print handicapped to provide for the
14 delivery of newspapers, magazines, and other printed materials
15 over the radio, furnished by the Iowa radio reading
16 information service for the blind and print handicapped.

17 Sec. 2. Section 216B.4, unnumbered paragraph 1, Code 2003,
18 is amended to read as follows:

19 The director may accept financial aid from the government
20 of the United States for carrying out rehabilitation and
21 physical restoration of the blind and for providing library,
22 news, and information services to persons who are blind and
23 persons with physical disabilities.

24 Sec. 3. Section 477C.1, Code 2003, is amended by striking
25 the section and inserting in lieu thereof the following:

26 477C.1 TELECOMMUNICATIONS RELAY SERVICE AND EQUIPMENT
27 DISTRIBUTION PROGRAM -- PURPOSE.

28 1. The general assembly finds that the provision of a
29 statewide telecommunications relay service will further the
30 public interest and protect the health, safety, and welfare of
31 the people of Iowa through an increase in the usefulness and
32 availability of the telephone system. Many persons who are
33 deaf, hard-of-hearing, or have speech impairments are not able
34 to utilize the telephone system without this type of service.
35 Therefore, it is the purpose of this chapter to enable the

1 orderly development, operation, promotion, and funding of a
2 statewide telecommunications relay service.

3 2. The general assembly further finds that a statewide
4 equipment distribution program furthers the public interest
5 and protects the health, safety, and welfare of the people of
6 Iowa through an increase in the availability of specialized
7 telecommunications devices. Many persons who are deaf, hard-
8 of-hearing, speech impaired, or have other physical, sensory,
9 mobility, and cognitive impairments are not able to use the
10 telephone without these devices. Therefore, it is the purpose
11 of this chapter to enable the board to plan, establish,
12 administer, and promote an equipment distribution program
13 designed to serve the needs of persons with communication
14 impairments.

15 Sec. 4. Section 477C.2, Code 2003, is amended by striking
16 the section and inserting in lieu thereof the following:

17 477C.2 DEFINITIONS.

18 As used in this chapter, unless the context otherwise
19 requires:

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

22 2. "Council" means the telecommunications relay council
23 established in section 477C.5.

24 3. "Person with a communication impairment" means an
25 individual who has been certified by an appropriate
26 professional to be deaf, hard-of-hearing, or have a speech,
27 cognitive, mobility, sensory, or physical impairment that
28 limits the individual's ability to use or access a standard
29 telephone for communication.

30 4. "Specialized telecommunications device" means any
31 assistive, supplemental, or adapted equipment used by a person
32 with a communication impairment to use or access the telephone
33 system.

34 5. "Telecommunications relay service" or "relay service"
35 means a communication service which provides a person with a

1 hearing or speech impairment access to the telephone system
2 functionally equivalent to the access available to persons who
3 do not have such impairments.

4 Sec. 5. Section 477C.3, Code 2003, is amended to read as
5 follows:

6 477C.3 ~~DUAL-PARTY~~ TELECOMMUNICATIONS RELAY SERVICE.

7 With the advice of the council, the board shall plan,
8 establish, administer, and promote a statewide program to
9 provide ~~dual-party~~ telecommunications relay service as
10 follows:

11 1. The board may enter into the necessary contracts and
12 arrangements with private entities to provide for the delivery
13 of relay service.

14 2. The relay service, to the extent reasonably possible,
15 shall allow persons with ~~communication~~ hearing or speech
16 impairments to use the telephone system in a manner and at a
17 rate equivalent to persons ~~without-communication~~ who do not
18 have such impairments.

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

22 4. The board may employ additional personnel, pursuant to
23 section 476.10, to plan, establish, administer, and promote
24 the relay service.

25 Sec. 6. Section 477C.4, Code 2003, is amended to read as
26 follows:

27 477C.4 ~~TELECOMMUNICATIONS-DEVICES-FOR-THE-DEAF~~ EQUIPMENT
28 DISTRIBUTION PROGRAM.

29 With the advice of the council, the board may plan,
30 establish, administer, and promote a program to secure,
31 finance, and distribute specialized telecommunications devices
32 ~~for-the-deaf~~. The board may establish eligibility criteria
33 for persons with a communication impairment to receive
34 specialized telecommunications devices ~~for-the-deaf~~,
35 including, but not limited to, requiring certification that

1 the recipient cannot use the telephone for communication
2 without a specialized telecommunications device ~~for-the-deaf~~.

3 Sec. 7. Section 477C.5, Code 2003, is amended to read as
4 follows:

5 477C.5 ~~DUAL-PARTY~~ TELECOMMUNICATIONS RELAY COUNCIL.

6 1. A ~~dual-party~~ telecommunications relay council is
7 established, consisting of ~~eleven~~ twelve members appointed by
8 the board. The council shall advise the board on all matters
9 concerning relay service and equipment distribution programs.

10 2. The council shall consist of:

11 a. ~~Six~~ Seven consumers who ~~have~~ are persons with a
12 communication ~~impairments~~ impairment.

13 b. Two representatives from telephone companies.

14 c. One representative from the division of deaf services
15 of the department of human rights.

16 d. One representative from the office of the consumer
17 advocate of the department of justice.

18 e. One member of the board or a designee of the board.

19 3. Council members who are not state or local government
20 officers or employees shall be reimbursed for their necessary
21 and actual expenses incurred in performance of their duties
22 and shall receive a per diem of fifty dollars when the council
23 is meeting, payable from moneys available to the board
24 pursuant to section 477C.7.

25 Sec. 8. CONTINGENT EFFECTIVE DATE. Section 1 of this Act
26 establishing an audio news and information services program
27 shall take effect only if funding is specifically appropriated
28 to the department for the blind for that purpose. The
29 department for the blind shall notify the Code editor if such
30 an appropriation is made.

31 Sec. 9. CODE EDITOR DIRECTIVE. The Code editor shall
32 correct any references to the telecommunications relay service
33 as the successor to the dual party relay service, including
34 grammatical constructions, anywhere else in the Code, in any
35 bills awaiting codification, and in any bills enacted by the

1 Eightieth General Assembly, 2004 Regular Session.

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EXPLANATION

3 This bill establishes a program within the department for
4 the blind to provide news and information services by radio
5 and telephone access to blind and visually impaired persons
6 who reside in this state. The bill also establishes an
7 equipment distribution program and renames the dual party
8 relay service.

9 The bill grants administrative authority over the audio
10 news and information service program to the commission for the
11 blind. The commission may enter into an agreement to access
12 the existing newslines services of the national federation for
13 the blind and the Iowa radio reading information service for
14 the blind and print handicapped. The section of the bill
15 establishing the program shall only become effective if
16 funding is specifically appropriated to the department for the
17 blind for this program.

18 The bill broadens and renames the dual party relay service.
19 The bill broadens who may access the service by expanding the
20 types of impairments a person may have to qualify for services
21 under the program. To qualify a person must be certified by a
22 professional to be deaf, hard-of-hearing, or have a speech,
23 cognitive, mobility, sensory, or physical impairment that
24 limits the person's ability to access a standard telephone.
25 The bill renames the dual party relay service and council as
26 the telecommunications relay service and council. The bill
27 provides for the distribution of specialized
28 telecommunications devices and expands the membership of the
29 council to include one additional consumer with a
30 communication impairment.

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