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ARTICLE 17 SUBSTITUTE A

RELATING TO EMERGENCY AND PUBLIC COMMUNICATION ACCESS FUND

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

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

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

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

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

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

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

(c) The commission, with the assistance of the state commission on the deaf and hard of hearing, shall also develop the appropriate rules, regulations and service standards necessary to

1 implement the provisions of subsection (a)(1) of this section. At a minimum, however, the
2 commission shall require, under the terms of the contract, that the relay service provider:

3 (1) Offer its relay services seven (7) days a week, twenty-four (24) hours a day, including
4 holidays;

5 (2) Hire only qualified salaried operators with deaf language skills; and

6 (3) Maintain the confidentiality of all communications.

7 ~~(e)~~ (d) The commission shall collect from the telecommunications service providers the
8 amounts of the surcharge collected from their subscribers and remit to the department of
9 human services an additional ten thousand dollars (\$10,000) annually commencing in fiscal year
10 2005 for the adaptive telephone equipment loan program and forty thousand dollars (\$40,000) to
11 the department of human services for the establishment of a new telephone access to the text of
12 newspaper programs. In addition, eighty thousand dollars (\$80,000) shall annually be remitted to
13 the Rhode Island Commission on the Deaf and Hard of Hearing for an emergency and public
14 communication access program, pursuant to section 23-1.8-4 of the Rhode Island general laws.

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

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

22 **23-1.8-4. Emergency and public communication access account. -- (a) There is**
23 established within the general fund the emergency and public communication access restricted
24 receipt account, which shall be referred to as the EPCA account. The purpose of this account is to
25 fund emergency communication and enhance public communication access for deaf and hard of
26 hearing people, in accordance with subsection 39-1-42(e) of the Rhode Island general laws. In
27 addition, the account shall be used to enhance emergency communication systems to alert deaf
28 and hard of hearing people to any type of emergencies within the state.

29 (b) The account shall be used to purchase and install public communication access
30 equipment and products at public sites for deaf and hard of hearing citizens.

31 (c) The commission is authorized to establish, administer and promote its emergency and
32 public communication access program.

33 (d) The commission is authorized to make purchases specifically for the EPCA program
34 and empowered to receive donations and grants from sources including, but not limited to, the

1 federal government, governmental and private foundations, and corporate and individual donors;
2 these donations and grants to be deposited in the EPCA account.

3 (e) The commission is authorized to promulgate rules and regulations that will set forth
4 how the commission shall utilize the EPCA account. In preparing rules and regulations regarding
5 emergency communications, the Commission shall confer with applicable departments and
6 agencies.

7 SECTION 3. This article shall take effect upon passage.