

1 SECTION 2. This article shall take effect upon passage.

2 **ARTICLE 17**

3 **RELATING TO EMERGENCY AND PUBLIC COMMUNICATION ACCESS FUND**

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

6 **§ 39-1-42. Access to telephone information services for persons with disabilities.** -- (a) The
7 public utilities commission shall establish, administer and promote an information accessibility
8 service that includes:

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

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

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

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

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

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

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

1 (3) Maintain the confidentiality of all communications.

2 ~~(c)~~ (d) The commission shall collect from the telecommunications service providers the
3 amounts of the surcharge collected from their subscribers and remit to the department of human services
4 an additional ten thousand dollars (\$10,000) annually commencing in fiscal year 2005 for the adaptive
5 telephone equipment loan program and forty thousand dollars (\$40,000) to the department of human
6 services for the establishment of a new telephone access to the text of newspaper programs. In addition,
7 eighty thousand dollars (\$80,000) shall annually be remitted to the Rhode Island Commission on the Deaf
8 and Hard of Hearing for an emergency and public communication access program, pursuant to section 23-
9 1.8-4 of the Rhode Island General Laws, as amended. The surcharge referenced hereunder shall be
10 generated from existing funding mechanisms and shall not be generated as a result of any new funding
11 mechanisms charged to each residence and business telephone access line or trunk in the state, including
12 PBX trunks and centrex equivalent trunks and each service line or trunk, or upon each user interface
13 number or extension number or similarly identifiable line, trunk or path to or from a digital network.

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

16 **§ 23-1.8-4. Emergency and public communication access account.** - (a) There is established
17 within the general fund the emergency and public communication access account, which shall be referred
18 to as the EPCA account. This purpose of this account is to create emergency communication and enhance
19 public communication access for deaf and hard of hearing people, in accordance with subsection 39-1-
20 42(e) of the Rhode Island General Laws, as amended. In addition, the account shall be used to enhance
21 emergency communication systems to alert deaf and hard of hearing people to any type of emergencies
22 within the state.

23 (b) The fund shall purchase and install public communication access equipment and
24 products at public sites for deaf and hard of hearing citizens.

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

27 (d) The commission is authorized to make purchases specifically for the EPCA program
28 and empowered to receive donations and grants from sources including, but not limited to, the federal
29 government, governmental and private foundations, and corporate and individual donors; these donations
30 and grants to be deposited in the EPCA account.

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

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