

1 H.429

2 Introduced by Representatives Wood of Waterbury, Kitzmiller of Montpelier,
3 Lanpher of Vergennes, McFaun of Barre Town, Sheldon of
4 Middlebury, Squirrell of Underhill, Townsend of South
5 Burlington, Troiano of Stannard, and Walz of Barre City

6 Referred to Committee on

7 Date:

8 Subject: Telecommunications; deaf-blind services; communication facilitator
9 program

10 Statement of purpose of bill as introduced: This bill proposes to require the
11 Public Service Board to establish a communication facilitator program.

12 An act relating to establishment of a communication facilitator program

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 30 V.S.A. § 218a is amended to read:

15 § 218a. PERMANENT TELECOMMUNICATIONS RELAY SERVICE;

16 COMMUNICATION FACILITATOR PROGRAM

17 (a) The Department of Public Service shall develop the necessary standards
18 for the establishment of a permanent, statewide telecommunications relay
19 service and for an associated equipment program. The standards developed by
20 the Department shall be equal to or exceed those standards mandated by the

1 Americans With Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327
2 (1990)) and expressly require that the designated provider of Vermont's
3 telecommunications relay services comply, as expeditiously as possible, with
4 any additional federal regulations which may be promulgated by the Federal
5 Communications Commission in accordance with the provisions of this
6 section.

7 (b) The Department of Public Service shall issue a request for proposal
8 seeking competitive bids from qualified vendors to provide
9 telecommunications relay services and competitive bids from qualified vendors
10 to provide telecommunications equipment in accordance with the provisions of
11 this section, including the standards developed under subsection (a) of this
12 section. The term of any contract shall not exceed four years.

13 (c) The Department of Public Service may contract with the qualified
14 bidder offering the most favorable proposal, giving due consideration to costs,
15 to quality of service, and to the interests of the community of people who are
16 deaf, hard of hearing, or have speech limitations.

17 (d) The Department of Public Service shall establish a Vermont
18 Telecommunications Relay Service Advisory Council composed of the
19 following members: one representative of the Department of Public Service,
20 ~~who shall act as chair and who shall be~~ designated by the Commissioner of
21 Public Service; one representative of the Department of Disabilities, Aging,

1 and Independent Living, ~~who shall act as vice chair; two representatives; one~~
2 representative of the deaf community; one member of the community of people
3 who are hard of hearing or have a speech limitation; one representative of the
4 deaf-blind community; one representative of a company providing local
5 exchange service within the State; and one representative of an organization
6 currently providing telecommunications relay services. The members of the
7 Council shall select a chair from among the members who use the
8 telecommunications relay service or communication facilitator program. The
9 representative of the Department of Public Service shall serve as the vice chair.
10 The members of the Council who are not officers or employees of the State
11 shall receive per diem compensation and expense reimbursement in amounts
12 authorized by 32 V.S.A. § 1010(b). The costs of such compensation and
13 reimbursement, and any other necessary administrative costs shall be included
14 within the contract entered into under subsection (c) of this section. The
15 Council shall advise the Department of Public Service and the contractor for
16 telecommunications relay services on all matters concerning the
17 implementation and administration of the State's telecommunications relay
18 service.

19 (e) The Department shall propose and the Board shall establish by rule or
20 order a telecommunications equipment grant program to assist persons who are
21 deaf, deaf-blind, hard of hearing, have a speech limitation, and persons with

1 physical disabilities that limit their ability to use standard telephone equipment
2 to communicate by telephone. Pursuant to this program a person who is deaf,
3 deaf-blind, hard of hearing, has a speech limitation, or a person with a physical
4 disability that limits his or her ability to use standard telephone equipment
5 whose modified adjusted gross income as defined in 32 V.S.A. § 5829(b)(1)
6 for the preceding taxable year was less than 200 percent of the official poverty
7 line established by the U.S. Department of Health and Human Services for a
8 family of six or the actual number in the family, whichever is greater,
9 published as of October 1 of the preceding taxable year, may be eligible for a
10 benefit towards the purchase, upgrade, or repair of equipment used to access
11 the relay service or otherwise communicate by telephone. The total benefits
12 allocable under this section shall not exceed \$75,000.00 per year. In adopting
13 rules, the Board shall consider the following:

- 14 (1) prior benefits;
- 15 (2) degree of functional need;
- 16 (3) income;
- 17 (4) number of applicants;
- 18 (5) disposition of equipment upon change of residence; and
- 19 (6) appropriate limits on per person benefit levels based on the
20 equipment needed and the income level of the applicant.

1 (f) The Department, in consultation with the Agency of Human Services,
2 shall propose and the Board shall establish by rule a communication facilitator
3 program to enable individuals who are deaf-blind to access videophones and
4 video relay services.

5 (g) The costs of the State's telecommunications relay service and any
6 equipment benefit under subsection (e) of this section, as well as the costs of
7 the communication facilitator program established under subsection (f) of this
8 section, shall be included as part of the Vermont Universal Service Fund
9 Program.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on passage.