

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 454 Session of  
1991

INTRODUCED BY PHILLIPS, BELARDI, ITKIN, NOYE, FAIRCHILD, ALLEN, BELFANTI, MARKOSEK, FARGO, CAPPABIANCA, HERMAN, MICOZZIE, RUDY, DEMPSEY, RAYMOND, TIGUE, PESCI, HECKLER, STUBAN, GODSHALL, GEIST, SERAFINI, STABACK, GIGLIOTTI, WOGAN, FOX, JOHNSON, G. SNYDER, LAUGHLIN, BUNT, MAIALE, VROON, BISHOP, TRELLO, McCALL, NAHILL, CAWLEY, CIVERA, OLASZ, COLAIZZO, GRUPPO, TANGRETTI AND E. Z. TAYLOR, MARCH 11, 1991

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 11, 1991

## AN ACT

1 Amending the act of December 16, 1986 (P.L.1621, No.184),  
2 entitled "An act establishing and imposing powers and duties  
3 on the Office for the Deaf and Hearing Impaired in the  
4 Department of Labor and Industry; and establishing and  
5 providing powers and duties for the Advisory Council for the  
6 Deaf and Hearing Impaired in the Department of Labor and  
7 Industry," providing for devices for the hearing-impaired and  
8 speech-impaired; imposing powers and duties on the  
9 Pennsylvania Public Utility Commission; and imposing a rate  
10 surcharge.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. The act of December 16, 1986 (P.L.1621, No.184),  
14 entitled "An act establishing and imposing powers and duties on  
15 the Office for the Deaf and Hearing Impaired in the Department  
16 of Labor and Industry; and establishing and providing powers and  
17 duties for the Advisory Council for the Deaf and Hearing  
18 Impaired in the Department of Labor and Industry," is amended by  
19 adding sections to read:

1 Section 1.1. Definitions.

2 The following words and phrases when used in this act shall  
3 have the meanings given to them in this section unless the  
4 context clearly indicates otherwise:

5 "Braille telecommunication device." A typewriter with a  
6 braille keyboard and with the capability to communicate the  
7 information typed onto the keyboard by electronically  
8 transmitting the data, in braille, to another person.

9 "Deaf-blind." Central visual acuity of 20/200 or less in the  
10 better eye with corrective lenses or central acuity greater than  
11 20/200 if a peripheral diameter of the visual field subtends an  
12 angular distance no greater than 20 degrees; and either a  
13 chronic hearing impairment so severe that most speech cannot be  
14 understood with optimum amplification, a speech discrimination  
15 score of 40% or less in the better ear, or both.

16 "Hearing-impaired." A condition affecting the ability of a  
17 person to hear and to use telecommunications devices, as  
18 evidenced by a certificate that labels the person named in the  
19 certificate as deaf, deaf-blind or hard of hearing.

20 "Speech-impaired." A condition affecting the ability of a  
21 person to speak and to use telecommunications devices, as  
22 evidenced by a certificate that labels the person named in the  
23 certificate as speech-impaired.

24 "Telecommunications devices for the hearing-impaired and  
25 speech-impaired." A typewriter with a keyboard and with a  
26 readable display that couples with the telephone to allow  
27 messages to be typed rather than spoken. The term includes  
28 braille telecommunication devices and large print displays.

29 Section 4.1. Establishment of a telecommunications device  
30 distribution program.

1     (a) Director's powers and duties.--The Director of the  
2     Office for the Deaf and Hearing Impaired, with the cooperation  
3     of other State agencies which deal with hearing-impaired and  
4     speech-impaired persons, shall establish and administer a  
5     Statewide program to purchase and distribute telecommunication  
6     devices for the hearing-impaired and speech-impaired. To this  
7     end, the Director may:

8             (1) Adopt criteria and publish rules and forms to  
9             establish and implement the telecommunications device  
10            distribution program under this section.

11            (2) Determine the amount of moneys needed to fund the  
12            telecommunications device distribution program and give the  
13            determination to the Pennsylvania Public Utility Commission.

14     (b) Imposition of rate surcharge.--The Pennsylvania Public  
15     Utility Commission shall review the information and determine a  
16     surcharge to be imposed on all access lines and identified  
17     separately on the ratepayer's monthly bill. Proceeds from the  
18     surcharge shall be used exclusively to further the  
19     telecommunications device distribution program established under  
20     this act.

21     Section 2. This act shall take effect January 1, 1992.