

2 **SHB 1222** - S COMM AMD S2620.2
3 By Committee on Ways & Means

4 ADOPTED AS AMENDED (FLR 364) 4/13/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.63A
8 RCW to read as follows:

9 (1) A competitive grant program to assist nonprofit organizations
10 in acquiring, constructing, or rehabilitating performing arts, art
11 museums, and cultural facilities is created.

12 (2)(a) The department shall submit a list of recommended performing
13 arts, art museum projects, and cultural organization projects eligible
14 for funding to the governor and the legislature in the department's
15 biennial capital budget request beginning with the 2001-2003 biennium
16 and thereafter. The list, in priority order, shall include a
17 description of each project, the amount of recommended state funding,
18 and documentation of nonstate funds to be used for the project. The
19 total amount of recommended state funding for projects on a biennial
20 project list shall not exceed four million dollars. The department may
21 provide an additional alternate project list which shall not exceed
22 five hundred thousand dollars.

23 (b) The department shall establish a competitive process to
24 prioritize applications for state assistance as follows:

25 (i) The department shall conduct a state-wide solicitation of
26 project applications from nonprofit organizations, local governments,
27 and other entities, as determined by the department. The department
28 shall evaluate and rank applications in consultation with a citizen
29 advisory committee, including a representative from the state arts
30 commission, using objective criteria. The evaluation and ranking
31 process shall also consider local community support for projects and an
32 examination of existing assets that applicants may apply to projects.

33 (ii) The department may establish the amount of state grant
34 assistance for individual project applications but the amount shall not
35 exceed twenty percent of the estimated total capital cost or actual
36 cost of a project, whichever is less. The remaining portions of the

1 project capital cost shall be a match from nonstate sources. The
2 nonstate match may include cash, the value of real property when
3 acquired solely for the purpose of the project, and in-kind
4 contributions. The department is authorized to set matching
5 requirements for individual projects. State assistance may be used to
6 fund separate definable phases of a project if the project demonstrates
7 adequate progress and has secured the necessary match funding.

8 (iii) The department shall not sign contracts or otherwise
9 financially obligate funds under this section until the legislature has
10 approved a specific list of projects. In contracts for grants
11 authorized under this section, the department shall include provisions
12 requiring that capital improvements be held by the grantee for a
13 specified period of time appropriate to the amount of the grant and
14 that facilities be used for the express purpose of the grant. If the
15 grantee is found to be out of compliance with provisions of the
16 contract, the grantee shall repay to the state general fund the
17 principal amount of the grant plus interest calculated at the rate of
18 interest on state of Washington general obligation bonds issued most
19 closely to the date of authorization of the grant.

20 **Sec. 2.** RCW 27.34.330 and 1995 c 182 s 2 are each amended to read
21 as follows:

22 The Washington state historical society shall establish a
23 competitive process to solicit proposals for and prioritize heritage
24 capital projects for potential funding in the state capital budget.
25 The society shall adopt rules governing project eligibility and
26 evaluation criteria. Application for funding of specific projects may
27 be made to the society by local governments, public development
28 authorities, nonprofit corporations, tribal governments, and other
29 entities, as determined by the society. The society, with the advice
30 of leaders in the heritage field, including but not limited to
31 representatives from the office of the secretary of state, the eastern
32 Washington state historical society, and the state office of
33 archaeology and historic preservation, shall establish and submit a
34 prioritized list of heritage capital projects to ~~((be recommended to~~
35 ~~the governor and the legislature by September 1st of each even-numbered~~
36 ~~year, beginning in 1996. The prioritized list shall be developed~~
37 ~~through open and public meetings. The governor and the legislature~~
38 ~~shall consider the prioritized list of heritage projects as a guide for~~

1 ~~appropriating funds to heritage capital projects beginning with the~~
2 ~~1997-99 biennium and thereafter))~~ the governor and the legislature in
3 the society's biennial capital budget request. The list shall include
4 a description of each project, the amount of recommended state funding,
5 and documentation of nonstate funds to be used for the project. The
6 total amount of recommended state funding for projects on a biennial
7 project list shall not exceed four million dollars. The department may
8 provide an additional alternate project list which shall not exceed
9 five hundred thousand dollars. The prioritized list shall be developed
10 through open and public meetings and the amount of state funding shall
11 not exceed thirty-three percent of the total cost of the project. The
12 nonstate portion of the total project cost may include cash, the value
13 of real property when acquired solely for the purpose of the project,
14 and in-kind contributions. The department shall not sign contracts or
15 otherwise financially obligate funds under this section until the
16 legislature has approved a specific list of projects. In contracts for
17 grants authorized under this section, the society shall include
18 provisions requiring that capital improvements be held by the grantee
19 for a specified period of time appropriate to the amount of the grant
20 and that facilities be used for the express purpose of the grant. If
21 the grantee is found to be out of compliance with provisions of the
22 contract, the grantee shall repay to the state general fund the
23 principal amount of the grant plus interest calculated at the rate of
24 interest on state of Washington general obligation bonds issued most
25 closely to the date of authorization of the grant.

26 **Sec. 3.** RCW 43.63A.125 and 1997 c 374 s 2 are each amended to read
27 as follows:

28 ~~((If the legislature provides an appropriation to))~~ (1) The
29 department shall establish a competitive process to solicit proposals
30 for and prioritize projects that assist nonprofit organizations in
31 acquiring, constructing, or rehabilitating facilities used for the
32 delivery of nonresidential social services((, the legislature may
33 direct the department of community, trade, and economic development
34 to)).

35 (2) The department shall establish a competitive process to
36 prioritize applications for the assistance as follows:

37 ~~((1))~~ (a) The department shall conduct a state-wide solicitation
38 of project applications from local governments, nonprofit

1 organizations, and other entities, as determined by the department.
2 The department shall evaluate and rank applications in consultation
3 with a citizen advisory committee using objective criteria. At a
4 minimum, applicants must demonstrate that the requested assistance will
5 increase the efficiency or quality of the social services it provides
6 to citizens. The evaluation and ranking process shall also include an
7 examination of existing assets that applicants may apply to projects.
8 Grant assistance under this section shall not exceed twenty-five
9 percent of the total cost of the project. The nonstate portion of the
10 total project cost may include(~~(, but is not limited to, land,~~
11 ~~facilities)) cash, the value of real property when acquired solely for
12 the purpose of the project, and in-kind contributions.~~

13 ~~((+2))~~ (b) The department shall submit a prioritized list of
14 recommended projects to the (~~legislature by November 1st following the~~
15 ~~effective date of the appropriation)) governor and the legislature in
16 the department's biennial capital budget request beginning with the
17 2001-2003 biennium and thereafter. For the 1999-2001 biennium, the
18 department shall conduct a solicitation and ranking process, as
19 described in (a) of this subsection, for projects to be funded by
20 appropriations provided for this program in the 1999-2001 capital
21 budget. The list shall include a description of each project, the
22 amount of recommended state funding, and documentation of nonstate
23 funds to be used for the project. The total amount of recommended
24 state funding for projects on a biennial project list shall not exceed
25 four million dollars. The department may provide an additional
26 alternate project list which shall not exceed five hundred thousand
27 dollars. The department shall not sign contracts or otherwise
28 financially obligate funds under this section until the legislature has
29 approved a specific list of projects.~~

30 ~~((+3))~~ (c) In contracts for grants authorized under this section
31 the department shall include provisions which require that capital
32 improvements shall be held by the grantee for a specified period of
33 time appropriate to the amount of the grant and that facilities shall
34 be used for the express purpose of the grant. If the grantee is found
35 to be out of compliance with provisions of the contract, the grantee
36 shall repay to the state general fund the principal amount of the grant
37 plus interest calculated at the rate of interest on state of Washington
38 general obligation bonds issued most closely to the date of
39 authorization of the grant.

1 (~~(4) The department shall develop model contract provisions for~~
2 ~~compliance with subsection (3) of this section and shall distribute its~~
3 ~~recommendations to the appropriate legislative committees, the office~~
4 ~~of financial management, and to all state agencies which provide~~
5 ~~capital grants to nonstate entities.~~)

6 NEW SECTION. **Sec. 4.** Section 1 of this act, RCW 27.34.330, and
7 43.63A.125 shall expire June 30, 2007.

8 **Sec. 5.** RCW 80.36.005 and 1993 c 249 s 1 are each amended to read
9 as follows:

10 (~~(As used in this chapter)~~) The definitions in this section apply
11 throughout RCW 80.36.410 through 80.36.475, unless the context
12 (indicates) clearly requires otherwise(7).

13 (1) "Community action agency" means local community action agencies
14 or local community service agencies designated by the department of
15 community, trade, and economic development under chapter 43.63A RCW.

16 (2) "Community service voice mail" means a computerized telephone
17 answering service with the capabilities described in RCW 80.36.420(4).

18 (3) "Department" means the department of social and health
19 services.

20 **Sec. 6.** RCW 80.36.410 and 1987 c 229 s 3 are each amended to read
21 as follows:

22 (1) The legislature finds that universal telephone service is an
23 important policy goal of the state. The legislature further finds
24 that: (a) Recent changes in the telecommunications industry, such as
25 federal access charges, raise concerns about the ability of low-income
26 persons to continue to afford access to local exchange telephone
27 service; and (b) many low-income persons do not have a permanent
28 residence in which to receive local exchange telephone service.

29 (2) Therefore, the legislature finds that: (a) It is in the public
30 interest to take steps to mitigate the effects of these changes on low-
31 income persons; and (b) advances in telecommunications technologies,
32 such as community service voice mail, provide new and economically
33 efficient ways to secure many of the benefits of universal service to
34 low-income persons who are not customers of local exchange telephone
35 service.

1 **Sec. 7.** RCW 80.36.420 and 1990 c 170 s 2 are each amended to read
2 as follows:

3 The Washington telephone assistance program shall be available to
4 ~~((participants))~~ eligible clients of department programs ~~((set forth in~~
5 ~~RCW 80.36.470))~~ and community action agency services, except that
6 clients of community action agency services shall be eligible only for
7 the community service voice mail described in subsection (4) of this
8 section. Assistance shall consist of the following components:

9 (1) A discount on service connection fees of fifty percent or more
10 as set forth in RCW 80.36.460.

11 (2) A waiver of deposit requirements on local exchange service, as
12 set forth in RCW 80.36.460.

13 (3) A discounted flat rate service for local exchange service,
14 which shall be subject to the following conditions:

15 (a) The commission shall establish a single telephone assistance
16 rate for all local exchange companies operating in the state of
17 Washington. The telephone assistance rate shall include any federal
18 end user access charges and any other charges necessary to obtain local
19 exchange service.

20 (b) The commission shall, in establishing the telephone assistance
21 rate, consider all charges for local exchange service, including
22 federal end user access charges, mileage charges, extended area
23 service, and any other charges necessary to obtain local exchange
24 service.

25 (c) The telephone assistance rate shall only be available to
26 eligible customers subscribing to the lowest available local exchange
27 flat rate service, where the lowest local exchange flat rate, including
28 any federal end user access charges and any other charges necessary to
29 obtain local exchange service, is greater than the telephone assistance
30 rate. Low-income senior citizens sixty years of age and older and
31 other low-income persons identified by the department as medically
32 needy shall, where single-party service is available, be provided with
33 single-party service as the lowest available local exchange flat rate
34 service.

35 (d) The cost of providing the service shall be paid, to the maximum
36 extent possible, by a waiver of all or part of the federal end user
37 access charge and, to the extent necessary, from the telephone
38 assistance fund created by RCW 80.36.430.

1 (4) A community service voice mailbox that provides recipients
2 with: (a) An individually assigned telephone number; (b) the ability
3 to record a personal greeting; and (c) a secure private security code
4 to retrieve messages. The community service voice mailbox may also
5 include a toll-free line through which recipients can access their
6 community service voice mailboxes at no charge.

7 **Sec. 8.** RCW 80.36.430 and 1990 c 170 s 3 are each amended to read
8 as follows:

9 (1) The Washington telephone assistance program shall be funded by
10 a telephone assistance excise tax on all switched access lines and by
11 funds from any federal government or other programs for this purpose.
12 Switched access lines are defined in RCW 82.14B.020. The telephone
13 assistance excise tax shall be applied equally to all residential and
14 business access lines not to exceed fourteen cents per month. The
15 telephone assistance excise tax shall be separately identified on each
16 ratepayer's bill as the "Washington telephone assistance program." All
17 money collected from the telephone assistance excise tax shall be
18 transferred to a telephone assistance fund administered by the
19 department.

20 (2) The department shall be the fund administrator for local
21 exchange companies, and the department of community, trade, and
22 economic development shall be the fund administrator for community
23 action agencies. Local exchange companies and community action
24 agencies shall bill ((the)) their fund administrator for their expenses
25 incurred in offering the telephone assistance program, including
26 administrative and program expenses.

27 (3) The department shall disburse the money to the local exchange
28 companies and to the department of community, trade, and economic
29 development, except that the total amount of funds that may be paid
30 annually to the department of community, trade, and economic
31 development shall not exceed ten percent of the total annual telephone
32 assistance fund revenues collected. The department is exempted from
33 having to conclude a contract with local exchange companies in order to
34 effect this reimbursement. The department of community, trade, and
35 economic development shall disburse the money to the community action
36 agencies.

37 (4) The ((department)) fund administrators shall recover ((its))
38 their administrative costs from the fund. The ((department)) fund

1 administrator may specify by rule the range and extent of
2 administrative and program expenses that will be reimbursed to local
3 exchange companies or community action agencies.

4 **Sec. 9.** RCW 80.36.440 and 1990 c 170 s 4 are each amended to read
5 as follows:

6 (1) The commission ((and)), the department, and the department of
7 community, trade, and economic development may adopt any rules
8 necessary to implement RCW 80.36.410 through 80.36.470.

9 (2) The rules relating to community service voice mail shall
10 identify funding priorities that extend the benefits of community
11 service voice mail to the greatest number of eligible clients. Within
12 available resources, funding shall be made available for: (a)
13 Deployment of new community service voice mail systems, including costs
14 for start-up and installation, staff to train participating agencies,
15 and maintaining program data; (b) installation of toll-free lines
16 through which recipients of existing community service voice mail can
17 access their community service voice mailboxes at no charge; (c)
18 expansion of the capacity of existing community service voice mail; and
19 (d) payment for continuing and expanding telephone services of existing
20 community service voice mail, including maintenance expenses, operating
21 expenses, and administrative expenses. The rules may require community
22 action agencies to match up to fifty percent of the funds received from
23 the telephone assistance program or to demonstrate the acquisition of
24 in-kind contributions from local exchange companies or vendors of
25 community service voice mail hardware or software.

26 **Sec. 10.** RCW 80.36.450 and 1993 c 249 s 2 are each amended to read
27 as follows:

28 The Washington telephone assistance program shall be limited to one
29 residential access line per eligible household for services provided by
30 local exchange companies or to one community service voice mailbox per
31 eligible person for services provided by community action agencies.

32 **Sec. 11.** RCW 80.36.460 and 1990 c 170 s 5 are each amended to read
33 as follows:

34 (1) Local exchange companies shall file tariffs with the commission
35 which waive deposits on local exchange service for eligible subscribers
36 and which establish a fifty percent discount on service connection fees

1 for eligible subscribers. Part or all of the remaining fifty percent
2 of service connection fees may be paid by funds from federal government
3 or other programs for this purpose. The commission or other
4 appropriate agency shall make timely application for any available
5 federal funds. The remaining portion of the connection fee to be paid
6 by the subscriber shall be expressly payable by installment fees spread
7 over a period of months. A subscriber may, however, choose to pay the
8 connection fee in a lump sum. Costs associated with the waiver and
9 discount shall be accounted for separately and recovered from the
10 telephone assistance fund. Eligible subscribers shall be allowed one
11 waiver of a deposit and one discount on service connection fees per
12 year.

13 (2) Community action agencies may not charge recipients for
14 community service voice mail.

15 **Sec. 12.** RCW 80.36.470 and 1990 c 170 s 6 are each amended to read
16 as follows:

17 (1) Adult recipients of department-administered programs for the
18 financially needy which provide continuing financial or medical
19 assistance, food stamps, or supportive services to persons in their own
20 homes are eligible for participation in the telephone assistance
21 program. The department shall notify the participants of their
22 eligibility.

23 (2) Adult clients of community action agency services are eligible
24 for participation in the community service voice mail of the telephone
25 assistance program if they do not reside in a residence with local
26 exchange telephone service or do not have a reliable means of directly
27 receiving telephone calls or messages.

28 **Sec. 13.** RCW 80.36.475 and 1990 c 170 s 7 are each amended to read
29 as follows:

30 The department shall report to the ~~((energy and utilities))~~
31 committees of the house of representatives and the senate with
32 jurisdiction over telecommunications services by December 1 of each
33 year on the status of the Washington telephone assistance program. The
34 report shall include the number of participants by qualifying ~~((social~~
35 ~~service))~~ department or community action agency programs receiving
36 benefits from the telephone assistance program and the type of benefits
37 participants receive. The report shall also include a description of

1 the geographical distribution of participants, the program's annual
2 revenue and expenditures, and any recommendations for legislative
3 action.

4 NEW SECTION. **Sec. 14.** RCW 80.36.005 is recodified as a new
5 section in chapter 80.36 RCW to be codified immediately before RCW
6 80.36.410.

7 NEW SECTION. **Sec. 15.** Sections 6 through 12 of this act expire
8 June 30, 2003."

9 **SHB 1222** - S COMM AMD
10 By Committee on Ways & Means

11 ADOPTED AS AMENDED (FLR 364) 4/13/99

12 On page 1, line 2 of the title, after "organizations;" strike the
13 remainder of the title, and insert "amending RCW 27.34.330, 43.63A.125,
14 80.36.005, 80.36.410, 80.36.420, 80.36.430, 80.36.440, 80.36.450,
15 80.36.460, 80.36.470, and 80.36.475; adding a new section to chapter
16 43.63A RCW; adding a new section to chapter 80.36 RCW; recodifying RCW
17 80.36.005; and providing expiration dates."

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