

SENATE BILL 5332

State of Washington 56th Legislature 1999 Regular Session

By Senators Brown, Hochstatter, Goings, Fairley, Winsley, Costa and Kohl-Welles

Read first time 01/20/1999. Referred to Committee on Energy, Technology & Telecommunications.

1 AN ACT Relating to establishing community voice mail as a component
2 of the Washington telephone assistance program; amending RCW 80.36.005,
3 80.36.410, 80.36.420, 80.36.430, 80.36.440, 80.36.450, 80.36.460,
4 80.36.470, and 80.36.475; adding a new section to chapter 80.36 RCW;
5 recodifying RCW 80.36.005; and providing an expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

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

15 (2) "Community voice mail" means a computerized telephone answering
16 service.

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

1 **Sec. 2.** RCW 80.36.410 and 1987 c 229 s 3 are each amended to read
2 as follows:

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

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

16 **Sec. 3.** RCW 80.36.420 and 1990 c 170 s 2 are each amended to read
17 as follows:

18 The Washington telephone assistance program shall be available to
19 ~~((participants))~~ eligible clients of department programs and community
20 action agency services set forth in RCW 80.36.470. Assistance shall
21 consist of the following components:

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

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

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

28 (a) The commission shall establish a single telephone assistance
29 rate for all local exchange companies operating in the state of
30 Washington. The telephone assistance rate shall include any federal
31 end user access charges and any other charges necessary to obtain local
32 exchange service.

33 (b) The commission shall, in establishing the telephone assistance
34 rate, consider all charges for local exchange service, including
35 federal end user access charges, mileage charges, extended area
36 service, and any other charges necessary to obtain local exchange
37 service.

1 (c) The telephone assistance rate shall only be available to
2 eligible customers subscribing to the lowest available local exchange
3 flat rate service, where the lowest local exchange flat rate, including
4 any federal end user access charges and any other charges necessary to
5 obtain local exchange service, is greater than the telephone assistance
6 rate. Low-income senior citizens sixty years of age and older and
7 other low-income persons identified by the department as medically
8 needy shall, where single-party service is available, be provided with
9 single-party service as the lowest available local exchange flat rate
10 service.

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

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

21 **Sec. 4.** RCW 80.36.430 and 1990 c 170 s 3 are each amended to read
22 as follows:

23 (1) The Washington telephone assistance program shall be funded by
24 a telephone assistance excise tax on all switched access lines and by
25 funds from any federal government or other programs for this purpose.
26 Switched access lines are defined in RCW 82.14B.020. The telephone
27 assistance excise tax shall be applied equally to all residential and
28 business access lines not to exceed fourteen cents per month. The
29 telephone assistance excise tax shall be separately identified on each
30 ratepayer's bill as the "Washington telephone assistance program." All
31 money collected from the telephone assistance excise tax shall be
32 transferred to a telephone assistance fund administered by the
33 department.

34 (2) Local exchange companies offering the services available under
35 RCW 80.36.420 (1), (2), and (3) shall bill the fund for their expenses
36 incurred in ((offering the telephone assistance program)) providing
37 connection fee discounts, waivers of deposits, and discounted flat rate
38 service, including administrative and program expenses.

1 (3) Community action agencies offering the services available under
2 RCW 80.36.420(4) shall bill the fund for their expenses incurred in
3 providing community voice mail, including administrative and program
4 expenses.

5 (4) The department shall disburse the money to the local exchange
6 companies and community action agencies, except that the total amount
7 of funds that may be paid annually to community action agencies for
8 community voice mail services shall not exceed ten percent of the total
9 annual telephone assistance fund revenues collected. The department is
10 exempted from having to conclude a contract with local exchange
11 companies in order to effect this reimbursement. The department shall
12 recover its administrative costs from the fund. The department may
13 specify by rule the range and extent of administrative and program
14 expenses that will be reimbursed to local exchange companies and
15 community action agencies.

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

18 (1) The commission and the department may adopt any rules necessary
19 to implement RCW 80.36.410 through 80.36.470.

20 (2) Rules necessary for the implementation of community voice mail
21 shall be made by the commission and the department in consultation with
22 the department of community, trade, and economic development. The
23 rules shall provide funding for community action agencies in the
24 following order of priority: (a) Deployment of new community voice
25 mail systems through funding for start-up and installation costs,
26 including staff to train participating agencies and maintain program
27 data; (b) installation of toll-free lines through which recipients of
28 existing community voice mail services can access their community voice
29 mailboxes at no charge; (c) expansion of the capacity of existing
30 community voice mail services; and (d) payment for continuing and
31 expanding telephone services of existing community voice mail services,
32 including maintenance expenses, operating expenses, and administrative
33 expenses. The rules may require community action agencies to match up
34 to fifty percent of the funds received from the telephone assistance
35 program or to demonstrate the acquisition of in-kind contributions from
36 local exchange companies or vendors of community voice mail hardware or
37 software.

1 **Sec. 6.** RCW 80.36.450 and 1993 c 249 s 2 are each amended to read
2 as follows:

3 The Washington telephone assistance program shall be limited to one
4 residential access line per eligible household for services provided by
5 local exchange companies or to one community voice mailbox per eligible
6 person for services provided by community action agencies.

7 **Sec. 7.** RCW 80.36.460 and 1990 c 170 s 5 are each amended to read
8 as follows:

9 (1) Local exchange companies shall file tariffs with the commission
10 which waive deposits on local exchange service for eligible subscribers
11 and which establish a fifty percent discount on service connection fees
12 for eligible subscribers. Part or all of the remaining fifty percent
13 of service connection fees may be paid by funds from federal government
14 or other programs for this purpose. The commission or other
15 appropriate agency shall make timely application for any available
16 federal funds. The remaining portion of the connection fee to be paid
17 by the subscriber shall be expressly payable by installment fees spread
18 over a period of months. A subscriber may, however, choose to pay the
19 connection fee in a lump sum. Costs associated with the waiver and
20 discount shall be accounted for separately and recovered from the
21 telephone assistance fund. Eligible subscribers shall be allowed one
22 waiver of a deposit and one discount on service connection fees per
23 year.

24 (2) Community action agencies shall not charge recipients for
25 community voice mail services.

26 **Sec. 8.** RCW 80.36.470 and 1990 c 170 s 6 are each amended to read
27 as follows:

28 (1) Adult recipients of department-administered programs for the
29 financially needy which provide continuing financial or medical
30 assistance, food stamps, or supportive services to persons in their own
31 homes are eligible for participation in the telephone assistance
32 program. The department shall notify the participants of their
33 eligibility.

34 (2) Adult clients of community action agency services are eligible
35 for participation in the community voice mail services of the telephone
36 assistance program if they do not reside in a residence with local

1 exchange telephone service or do not have a reliable means of directly
2 receiving telephone calls or messages.

3 **Sec. 9.** RCW 80.36.475 and 1990 c 170 s 7 are each amended to read
4 as follows:

5 The department shall report to the ~~((energy and utilities))~~
6 committees of the house of representatives and the senate with
7 jurisdiction over telecommunications services by December 1 of each
8 year on the status of the Washington telephone assistance program. The
9 report shall include the number of participants by qualifying ~~((social~~
10 ~~service))~~ department or community action agency programs receiving
11 benefits from the telephone assistance program and the type of benefits
12 participants receive. The report shall also include a description of
13 the geographical distribution of participants, the program's annual
14 revenue and expenditures, and any recommendations for legislative
15 action.

16 NEW SECTION. **Sec. 10.** RCW 80.36.005 is recodified as a new
17 section in chapter 80.36 RCW to be codified immediately before RCW
18 80.36.410.

19 NEW SECTION. **Sec. 11.** Sections 2 through 8 of this act expire
20 June 30, 2003.

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