

SHB 1624 - S COMM AMD

By Committee on Technology & Communications

ADOPTED 04/09/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 80.36.005 and 2002 c 104 s 1 are each amended to read
4 as follows:

5 The definitions in this section apply throughout RCW 80.36.410
6 through 80.36.475, unless the context clearly requires otherwise.

7 (1) "Community agency" means local community agencies that
8 administer community service voice mail programs.

9 (2) "Community service voice mail" means a computerized voice mail
10 system that provides low-income recipients with: (a) An individually
11 assigned telephone number; (b) the ability to record a personal
12 greeting; and (c) a private security code to retrieve messages.

13 (3) "Department" means the department of social and health
14 services.

15 (4) "Service year" means the period between July 1st and June 30th.

16 (5) "Community action agency" means local community action agencies
17 or local community service agencies designated by the department of
18 community, trade, and economic development under chapter 43.63A RCW.

19 "Sec. 2. RCW 80.36.410 and 2002 c 104 s 2 are each amended to read
20 as follows:

21 (1) The legislature finds that universal telephone service is an
22 important policy goal of the state. The legislature further finds
23 that: ~~((+1))~~ (a) Recent changes in the telecommunications industry,
24 such as federal access charges, raise concerns about the ability of
25 low-income persons to continue to afford access to local exchange
26 telephone service; and ~~((+2))~~ (b) many low-income persons making the
27 transition to independence from receiving supportive services through
28 community agencies do not qualify for economic assistance from the
29 department.

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

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

10 The Washington telephone assistance program shall be available to
11 participants of (~~department~~) programs set forth in RCW 80.36.470.
12 Assistance shall consist of the following components:

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

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

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

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

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

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

1 available, be provided with single party service as the lowest
2 available local exchange flat rate service.)

3 (d) The cost of providing the service shall be paid, to the maximum
4 extent possible, by a waiver of all or part of ((the)) federal end user
5 ((access)) charges and, to the extent necessary, from the telephone
6 assistance fund created by RCW 80.36.430.

7 (4) A discount on a community service voice mailbox that provides
8 recipients with (a) an individually assigned telephone number; (b) the
9 ability to record a personal greeting; and (c) a secure private
10 security code to retrieve messages.

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

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

24 (2) Local exchange companies shall bill the fund for their expenses
25 incurred in offering the telephone assistance program, including
26 administrative and program expenses. The department shall disburse the
27 money to the local exchange companies. The department is exempted from
28 having to conclude a contract with local exchange companies in order to
29 effect this reimbursement. The department shall recover its
30 administrative costs from the fund. The department may specify by rule
31 the range and extent of administrative and program expenses that will
32 be reimbursed to local exchange companies.

33 (3) The department shall enter into an agreement with the
34 department of community, trade, and economic development for an amount
35 not to exceed eight percent of the prior fiscal year's total revenue
36 for the administrative and program expenses of providing community
37 service voice mail services. The community service voice mail service

1 may include toll-free lines in community action agencies through which
2 recipients can access their community service voice mailboxes at no
3 charge.

4 **Sec. 5.** 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 may adopt any rules necessary
7 to implement RCW 80.36.410 through 80.36.470.

8 (2) Rules necessary for the implementation of community service
9 voice mail services shall be made by the commission and the department
10 in consultation with the department of community, trade, and economic
11 development.

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

14 The Washington telephone assistance program shall ~~((be limited))~~
15 limit reimbursement to one residential switched access line per
16 eligible household, or one discounted community service voice mailbox
17 per eligible person.

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

20 Local exchange companies shall ~~((file tariffs with the commission~~
21 ~~which))~~ waive deposits on local exchange service for eligible
22 subscribers and ~~((which establish))~~ provide a fifty percent discount on
23 the company's customary charge for commencing telecommunications
24 service ~~((connection fees))~~ for eligible subscribers. Part or all of
25 the remaining fifty percent of service connection fees may be paid by
26 funds from federal government or other programs for this purpose. The
27 commission or other appropriate agency shall make timely application
28 for any available federal funds. The remaining portion of the
29 connection fee to be paid by the subscriber shall be expressly payable
30 by installment fees spread over a period of months. A subscriber may,
31 however, choose to pay the connection fee in a lump sum. Costs
32 associated with the waiver and discount shall be accounted for
33 separately and recovered from the telephone assistance fund.
34 ~~((Eligible subscribers shall be allowed one waiver of a deposit and one~~
35 ~~discount on service connection fees per year.))~~

1 **Sec. 8.** RCW 80.36.470 and 2002 c 104 s 3 are each amended to read
2 as follows:

3 (1) Adult recipients of department-administered programs for the
4 financially needy which provide continuing financial or medical
5 assistance, food stamps, or supportive services to persons in their own
6 homes are eligible for participation in the telephone assistance
7 program. The department shall notify the participants of their
8 eligibility.

9 (2) Participants in community service voice mail programs are
10 eligible for participation in ~~((the telephone assistance program))~~
11 services available under RCW 80.36.420 (1), (2), and (3) after
12 completing use of community service voice mail services. Eligibility
13 shall be for a period including the remainder of the current service
14 year and the following service year. Community agencies shall notify
15 the department of participants eligible under this subsection.

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

18 The department shall report to the ~~((energy and utilities))~~
19 appropriate committees of the house of representatives and the senate
20 by December 1 of each year on the status of the Washington telephone
21 assistance program. The report shall include the number of
22 participants by qualifying social service programs receiving benefits
23 from the telephone assistance program and the type of benefits
24 participants receive. The report shall also include a description of
25 the geographical distribution of participants, the program's annual
26 revenue and expenditures, and any recommendations for legislative
27 action.

28 NEW SECTION. **Sec. 10.** 1998 c 159 s 1, 1993 c 249 s 3, 1990 c 170
29 s 8, & 1987 c 229 s 12 (uncodified) are each repealed.

30 NEW SECTION. **Sec. 11.** 2002 c 104 s 4 (uncodified) is repealed.

31 NEW SECTION. **Sec. 12.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect
34 July 1, 2003."

ADOPTED 04/09/2003

1 On page 1, beginning on line 1 of the title, after "program;"
2 strike the remainder of the title and insert "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; repealing 1998 c 159 s 1, 1993 c 249 s 3,
5 1990 c 170 s 8, and 1987 c 229 s 12 (uncodified); repealing 2002 c 104
6 s 4 (uncodified); providing an effective date; and declaring an
7 emergency."

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