

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1624

Chapter 134, Laws of 2003

58th Legislature
2003 Regular Session

TELEPHONE ASSISTANCE

EFFECTIVE DATE: 7/1/03

Passed by the House April 21, 2003
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 9, 2003
Yeas 42 Nays 2

BRAD OWEN

President of the Senate

Approved May 7, 2003.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1624** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

May 7, 2003 - 3:06 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1624

AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By House Committee on Technology, Telecommunications & Energy
(originally sponsored by Representatives Hudgins, Pettigrew, Crouse,
Morris, Nixon, Linville and Sullivan; by request of Department of
Social and Health Services)

READ FIRST TIME 03/04/03.

1 AN ACT Relating to the Washington telephone assistance program;
2 amending RCW 80.36.005, 80.36.410, 80.36.420, 80.36.430, 80.36.440,
3 80.36.450, 80.36.460, 80.36.470, and 80.36.475; repealing 1998 c 159 s
4 1, 1993 c 249 s 3, 1990 c 170 s 8, and 1987 c 229 s 12 (uncodified);
5 repealing 2002 c 104 s 4 (uncodified); providing an effective date; and
6 declaring an emergency.

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

8 **Sec. 1.** RCW 80.36.005 and 2002 c 104 s 1 are each amended to read
9 as follows:

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

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

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

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

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

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

5 **Sec. 2.** RCW 80.36.410 and 2002 c 104 s 2 are each amended to read
6 as follows:

7 (1) The legislature finds that universal telephone service is an
8 important policy goal of the state. The legislature further finds
9 that: ~~((+1))~~ (a) Recent changes in the telecommunications industry,
10 such as federal access charges, raise concerns about the ability of
11 low-income persons to continue to afford access to local exchange
12 telephone service; and ~~((+2))~~ (b) many low-income persons making the
13 transition to independence from receiving supportive services through
14 community agencies do not qualify for economic assistance from the
15 department.

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

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

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

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

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

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

34 (a) The commission shall establish a single telephone assistance
35 rate for all local exchange companies operating in the state of

1 Washington. The telephone assistance rate shall include any federal
2 end user ((~~access~~)) charges and any other charges necessary to obtain
3 local exchange service.

4 (b) The commission shall, in establishing the telephone assistance
5 rate, consider all charges for local exchange service, including
6 federal end user ((~~access~~)) charges, mileage charges, extended area
7 service, and any other charges necessary to obtain local exchange
8 service.

9 (c) The telephone assistance rate shall only be available to
10 eligible customers subscribing to the lowest ((~~available~~)) priced local
11 exchange flat rate service, where the lowest priced local exchange flat
12 rate service, including any federal end user ((~~access~~)) charges and any
13 other charges necessary to obtain local exchange service, is greater
14 than the telephone assistance rate. ((~~Low income senior citizens sixty~~
15 ~~years of age and older and other low income persons identified by the~~
16 ~~department as medically needy shall, where single party service is~~
17 ~~available, be provided with single party service as the lowest~~
18 ~~available local exchange flat rate service.~~))

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

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

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

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

1 money collected from the telephone assistance excise tax shall be
2 transferred to a telephone assistance fund administered by the
3 department.

4 (2) Local exchange companies shall bill the fund for their expenses
5 incurred in offering the telephone assistance program, including
6 administrative and program expenses. The department shall disburse the
7 money to the local exchange companies. The department is exempted from
8 having to conclude a contract with local exchange companies in order to
9 effect this reimbursement. The department shall recover its
10 administrative costs from the fund. The department may specify by rule
11 the range and extent of administrative and program expenses that will
12 be reimbursed to local exchange companies.

13 (3) The department shall enter into an agreement with the
14 department of community, trade, and economic development for an amount
15 not to exceed eight percent of the prior fiscal year's total revenue
16 for the administrative and program expenses of providing community
17 service voice mail services. The community service voice mail service
18 may include toll-free lines in community action agencies through which
19 recipients can access their community service voice mailboxes at no
20 charge.

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

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

25 (2) Rules necessary for the implementation of community service
26 voice mail services shall be made by the commission and the department
27 in consultation with the department of community, trade, and economic
28 development.

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

31 The Washington telephone assistance program shall ~~((be limited))~~
32 limit reimbursement to one residential switched access line per
33 eligible household, or one discounted community service voice mailbox
34 per eligible person.

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

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

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

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

27 (2) Participants in community service voice mail programs are
28 eligible for participation in ~~((the telephone assistance program))~~
29 services available under RCW 80.36.420 (1), (2), and (3) after
30 completing use of community service voice mail services. Eligibility
31 shall be for a period including the remainder of the current service
32 year and the following service year. Community agencies shall notify
33 the department of participants eligible under this subsection.

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

36 The department shall report to the ~~((energy and utilities))~~

1 appropriate committees of the house of representatives and the senate
2 by December 1 of each year on the status of the Washington telephone
3 assistance program. The report shall include the number of
4 participants by qualifying social service programs receiving benefits
5 from the telephone assistance program and the type of benefits
6 participants receive. The report shall also include a description of
7 the geographical distribution of participants, the program's annual
8 revenue and expenditures, and any recommendations for legislative
9 action.

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

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

13 NEW SECTION. **Sec. 12.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 July 1, 2003.

Passed by the House April 21, 2003.

Passed by the Senate April 9, 2003.

Approved by the Governor May 7, 2003.

Filed in Office of Secretary of State May 7, 2003.