

2 **SHB 1222** - S AMD TO S WM COMM AMD (S2620.2) - 364
3 By Senator Brown

4 ADOPTED 4/13/99

5 On page 5, after line 7 of the committee amendment, insert the
6 following:

7 **"Sec. 5.** 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((~~7~~)).

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

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

19 **Sec. 6.** RCW 80.36.410 and 1987 c 229 s 3 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: (a) Recent changes in the telecommunications industry, such as
24 federal access charges, raise concerns about the ability of low-income
25 persons to continue to afford access to local exchange telephone
26 service; and (b) many low-income persons do not have a permanent
27 residence in which to receive local exchange telephone service.

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

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10 By Senator Brown

11 ADOPTED 4/13/99

12 On page 5, line 12 of the committee amendment, after "insert"
13 strike the remainder of the title, and insert "amending RCW 27.34.330,
14 43.63A.125, 80.36.005, 80.36.410, 80.36.420, 80.36.430, 80.36.440,
15 80.36.450, 80.36.460, 80.36.470, and 80.36.475; adding a new section to
16 chapter 43.63A RCW; adding a new section to chapter 80.36 RCW;
17 recodifying RCW 80.36.005; and providing an expiration date."

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