
SUBSTITUTE HOUSE BILL 1461

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Poulsen, Benson, Cooper, Dickerson, Constantine, Morris, McIntire, Santos, D. Sommers, Gombosky, Wolfe, Radcliff, Hatfield, Hurst, Tokuda and Wood)

Read first time 03/02/1999.

1 AN ACT Relating to community voice mail; amending RCW 80.36.005,
2 80.36.410, 80.36.420, 80.36.430, 80.36.440, 80.36.450, 80.36.460,
3 80.36.470, and 80.36.475; and providing an expiration date.

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

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

7 ~~((As used in))~~ The definitions in this section apply throughout
8 this chapter~~((7))~~ unless the context ~~((indicates))~~ clearly requires
9 otherwise~~((7))~~.

10 (1) "Department" means the department of social and health
11 services.

12 (2) "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 (3) "Voice mail" means a computerized telephone answering service.

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

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

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

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

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

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

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

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

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

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

36 (c) The telephone assistance rate shall only be available to
37 eligible customers subscribing to the lowest available local exchange
38 flat rate service, where the lowest local exchange flat rate, including

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

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

12 (4) Voice mail services shall be available to qualified recipients
13 only. Qualified recipients shall be determined by the department and
14 may not be the same recipients of the Washington telephone assistance
15 program. Recipients shall not qualify for both the telephone
16 assistance program and voice mail services at any one time. Each
17 qualified recipient shall receive: (a) An individually assigned
18 telephone number; (b) the ability to record a personal greeting; and
19 (c) a secure private security code to retrieve messages. The voice
20 mailbox service may also include a toll-free line through which
21 recipients can access their voice mailboxes at no charge.

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

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

35 (2) Local exchange companies offering the services available under
36 RCW 80.36.420 (1) through (3) shall bill the fund for their expenses
37 incurred in ((offering the telephone assistance program)) providing

1 connection fee discounts, waivers of deposits, and discounted flat rate
2 service, including administrative and program expenses.

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

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

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

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

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

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

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

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

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

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

35 (2) Adult clients of community action agency services are eligible
36 for participation in the voice mail services of the telephone
37 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 1st 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.** Sections 2 through 8 of this act expire
17 June 30, 2003.

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