
SUBSTITUTE SENATE BILL 5332

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Energy, Technology & Telecommunications
(originally sponsored by Senators Brown, Hochstatter, Goings, Fairley,
Winsley, Costa and Kohl-Welles)

Read first time 02/25/1999. Referred to Committee on .

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

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 service voice mail, provide new and economically
14 efficient ways to secure many of the benefits of universal service to
15 low-income persons who are not customers of local exchange telephone
16 service.

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

19 The Washington telephone assistance program shall be available to
20 ~~((participants))~~ eligible clients of department programs ~~((set forth in~~
21 ~~RCW 80.36.470))~~ and community action agency services, except that
22 clients of community action agency services shall be eligible only for
23 the community service voice mail described in subsection (4) of this
24 section. Assistance shall consist of the following components:

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

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

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

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

36 (b) The commission shall, in establishing the telephone assistance
37 rate, consider all charges for local exchange service, including
38 federal end user access charges, mileage charges, extended area

1 service, and any other charges necessary to obtain local exchange
2 service.

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

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

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

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

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

36 (2) The department shall be the fund administrator for local
37 exchange companies, and the department of community, trade, and
38 economic development shall be the fund administrator for community

1 action agencies. Local exchange companies and community action
2 agencies shall bill ((the)) their fund administrator for their expenses
3 incurred in offering the telephone assistance program, including
4 administrative and program expenses.

5 (3) The department shall disburse the money to the local exchange
6 companies and to the department of community, trade, and economic
7 development, except that the total amount of funds that may be paid
8 annually to the department of community, trade, and economic
9 development shall not exceed ten percent of the total annual telephone
10 assistance fund revenues collected. The department is exempted from
11 having to conclude a contract with local exchange companies in order to
12 effect this reimbursement. The department of community, trade, and
13 economic development shall disburse the money to the community action
14 agencies.

15 (4) The ((department)) fund administrators shall recover ((its))
16 their administrative costs from the fund. The ((department)) fund
17 administrator may specify by rule the range and extent of
18 administrative and program expenses that will be reimbursed to local
19 exchange companies or community action agencies.

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

22 (1) The commission ((and)), the department, and the department of
23 community, trade, and economic development may adopt any rules
24 necessary to implement RCW 80.36.410 through 80.36.470.

25 (2) The rules relating to community service voice mail shall
26 identify funding priorities that extend the benefits of community
27 service voice mail to the greatest number of eligible clients. Within
28 available resources, funding shall be made available for: (a)
29 Deployment of new community service voice mail systems, including costs
30 for start-up and installation, staff to train participating agencies,
31 and maintaining program data; (b) installation of toll-free lines
32 through which recipients of existing community service voice mail can
33 access their community service voice mailboxes at no charge; (c)
34 expansion of the capacity of existing community service voice mail; and
35 (d) payment for continuing and expanding telephone services of existing
36 community service voice mail, including maintenance expenses, operating
37 expenses, and administrative expenses. The rules may require community
38 action agencies to match up to fifty percent of the funds received from

1 the telephone assistance program or to demonstrate the acquisition of
2 in-kind contributions from local exchange companies or vendors of
3 community service voice mail hardware or software.

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

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

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

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

27 (2) Community action agencies may not charge recipients for
28 community service voice mail.

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

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

1 (2) Adult clients of community action agency services are eligible
2 for participation in the community service voice mail of the telephone
3 assistance program if they do not reside in a residence with local
4 exchange telephone service or do not have a reliable means of directly
5 receiving telephone calls or messages.

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

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

19 NEW SECTION. **Sec. 10.** RCW 80.36.005 is recodified as a new
20 section in chapter 80.36 RCW to be codified immediately before RCW
21 80.36.410.

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

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