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HOUSE BILL 1624

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Hudgins, Pettigrew, Crouse, Morris, Nixon, Linville and Sullivan; by request of Department of Social and Health Services

Read first time 02/03/2003. Referred to Committee on Technology, Telecommunications & Energy.

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 and repealing 2002 c 104 s 4 (uncodified).

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

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

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

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

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

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

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

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

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

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

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

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

24       The Washington telephone assistance program shall be available to  
25 participants of ~~((department))~~ programs set forth in RCW 80.36.470.  
26 For purposes of this program, "local exchange service" means service  
27 with a standard monthly payment for a specific or unlimited amount of  
28 local usage. Assistance shall consist of the following components:

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

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

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

35       (a) The commission shall establish a single telephone assistance  
36 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 offered by a local exchange company,  
12 where the lowest priced local exchange (~~((flat-rate))~~) service, including  
13 any federal end user (~~((access))~~) charges and any other charges necessary  
14 to obtain local exchange service, is greater than the telephone  
15 assistance rate. (~~((Low-income senior citizens sixty years of age and  
16 older and other low-income persons identified by the department as  
17 medically needy shall, where single party service is available, be  
18 provided with single party service as the lowest available local  
19 exchange flat-rate service.))~~)

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

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

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

30 (1) The Washington telephone assistance program shall be funded by  
31 a telephone assistance excise tax on all switched access lines and by  
32 funds from any federal government or other programs for this purpose.  
33 Switched access lines are defined in RCW 82.14B.020. The telephone  
34 assistance excise tax shall be applied equally to all residential and  
35 business access lines not to exceed fourteen cents per month. The  
36 telephone assistance excise tax shall be separately identified on each  
37 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 not less than twelve months  
14 without interest. A subscriber may, however, choose to pay the  
15 connection fee in a lump sum. Costs associated with the waiver and  
16 discount shall be accounted for separately and recovered from the  
17 telephone assistance fund. ~~((Eligible subscribers shall be allowed one~~  
18 ~~waiver of a deposit and one discount on service connection fees per~~  
19 ~~year.))~~

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

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

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

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

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

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

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

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