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**SUBSTITUTE SENATE BILL 5591**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Technology & Communications (originally sponsored by Senators Schmidt, Poulsen, Reardon, Esser, B. Sheldon and Kohl-Welles; 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 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 Assistance shall consist of the following components:

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

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

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

33       (a) The commission shall establish a single telephone assistance  
34 rate for all local exchange companies operating in the state of  
35 Washington. The telephone assistance rate shall include any federal

1 end user ((~~access~~)) charges and any other charges necessary to obtain  
2 local exchange service.

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

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

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