

SB 54 INTRODUCED BY THAYER
 LOW-INCOME TELEPHONE ASSISTANCE PROGRAM

1/06 INTRODUCED
1/06 FISCAL NOTE REQUESTED
1/06 REFERRED TO BUSINESS & INDUSTRY
1/10 FISCAL NOTE CANCELLED
 DIED IN COMMITTEE

1 SENATE BILL NO. 54
2 INTRODUCED BY THAYER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE TELEPHONE
5 LOW INCOME ASSISTANCE PROGRAM; SETTING ELIGIBILITY STANDARDS
6 FOR ASSISTANCE TO LOW INCOME INDIVIDUALS; IMPOSING AN
7 ADDITIONAL CHARGE ON NONELIGIBLE RESIDENTIAL TELEPHONE
8 CUSTOMERS TO REIMBURSE PARTICIPATING PROVIDERS OF INTRASTATE
9 TELECOMMUNICATIONS SERVICES FOR LOST REVENUES; PROVIDING FOR
10 COMPLIANCE WITH FEDERAL LAW IN ORDER TO RECEIVE MATCHING
11 FEDERAL FUNDS; GRANTING NEW RULEMAKING AUTHORITY TO THE
12 PUBLIC SERVICE COMMISSION AND THE DEPARTMENT OF SOCIAL AND
13 REHABILITATION SERVICES; AND PROVIDING AN IMMEDIATE
14 EFFECTIVE DATE AND A TERMINATION DATE."

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17 Section 1. Creation of program -- amount of
18 assistance. (1) There is a telephone low income assistance
19 program to provide an eligible subscriber with a reduction
20 in the monthly charge for access to basic local service in
21 the telephone network.

22 (2) This reduction in the intrastate telephone access
23 charge is the greater of:

- 24 (a) \$2 a month for each eligible subscriber; or
25 (b) the amount necessary to obtain the matching waiver

1 or reduction of interstate access charges available under
2 applicable orders and regulations of the federal
3 communications commission.

4 Section 2. Eligibility. (1) Telephone low income
5 assistance is available to eligible subscribers with single
6 telephone line service at their principal residence.

7 (2) An individual who qualifies for benefits under aid
8 to families with dependent children is eligible for low
9 income telephone assistance.

10 (3) An individual who qualifies for assistance under
11 the low income energy assistance program is also eligible
12 for low income telephone assistance if he is at least 60
13 years old or disabled.

14 Section 3. Administration of eligibility requirements.
15 (1) The department of social and rehabilitation services
16 shall monitor and verify, annually or upon request of the
17 public service commission, the eligibility of subscribers
18 receiving low income telephone assistance.

19 (2) The department may adopt rules to establish
20 procedures for qualification and verification of eligible
21 subscribers.

22 Section 4. Recovery of revenues. (1) The public
23 service commission shall authorize an additional monthly
24 charge for each residential access line to reimburse
25 providers of intrastate telecommunications services for



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1 revenues lost through participation in the low income
2 telephone assistance program.

3 (2) The additional monthly access charge must begin
4 concurrently with the discounts given eligible subscribers.

5 (3) The additional monthly access charge applies only
6 to residential subscribers, other than eligible subscribers,
7 of providers of intrastate telecommunications services that
8 participate in the low income telephone assistance program.

9 Section 5. Administration. (1) The public service
10 commission shall monitor the effectiveness of the low income
11 telephone assistance program and issue annual reports as
12 provided in [section 6].

13 (2) The commission may adopt rules necessary to
14 implement the low income telephone assistance program and to
15 receive matching federal low income telephone assistance.

16 Section 6. Annual reports. The commission shall, if
17 necessary, provide the federal communications commission
18 with annual reports containing the following information:

19 (1) a description of qualification and verification
20 procedures and other assistance measures;

21 (2) the costs of the low income telephone assistance
22 program;

23 (3) the number of households receiving low income
24 telephone assistance;

25 (4) the number of eligible subscribers receiving low

1 income telephone assistance, including subscribers who
2 switched from other telephone services to low income
3 telephone service and new subscribers of low income
4 telephone service; and

5 (5) all other information requested by the federal
6 communications commission concerning the effect of the low
7 income telephone assistance program on eligible
8 subscribership levels.

9 Section 7. Federal requirements. The public service
10 commission, the department of social and rehabilitation
11 services, and participating providers of intrastate
12 telecommunications services must comply with federal
13 requirements for matching federal low income telephone
14 assistance.

15 Section 8. Applicability. (1) Sections 1 through 7
16 apply to providers of intrastate telecommunications services
17 with more than 15,000 subscribers.

18 (2) Providers of intrastate telecommunications
19 services with fewer than 15,000 subscribers may petition the
20 public service commission to participate in or withdraw from
21 the low income telephone assistance program. The public
22 service commission shall grant a petition to participate in
23 or withdraw from the low income telephone assistance program
24 unless federal requirements for obtaining matching federal
25 low income telephone assistance require otherwise.

1 Section 9. Codification instruction. Sections 1
2 through 8 are intended to be codified as an integral part of
3 Title 69, chapter 3, and the provisions of Title 69, chapter
4 3, apply to sections 1 through 8.

5 Section 10. Severability. If a part of this act is
6 invalid, all valid parts that are severable from the invalid
7 part remain in effect. If a part of this act is invalid in
8 one or more of its applications, the part remains in effect
9 in all valid applications that are severable from the
10 invalid applications.

11 Section 11. Effective date -- termination. (1) This
12 act is effective on passage and approval.

13 (2) This act terminates October 1, 1989.

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