

**A-Engrossed**  
**Senate Bill 41**

Ordered by the Senate February 27  
Including Senate Amendments dated February 27

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Public Utility Commission of Oregon)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Modifies definition of "low income customers" eligible for Oregon Telephone Assistance Program to include residents of long term care facilities or residential care facilities who receive Medicaid and whose [*annual*] incomes do not exceed specified level.

**A BILL FOR AN ACT**

1  
2 Relating to assistance for low income telephone customers; amending section 6, chapter 290, Oregon  
3 Laws 1987.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 6, chapter 290, Oregon Laws 1987, as amended by section 1, chapter 622,  
6 Oregon Laws 1991, is amended to read:

7 **Sec. 6.** (1) In carrying out the provisions of section 2, chapter 290, Oregon Laws 1987, the Public  
8 Utility Commission shall establish a plan to provide assistance to low income customers through  
9 differential rates or otherwise. The plan of assistance shall be designed to use, to the maximum extent  
10 possible, the available funding offered by the Federal Communications Commission, and may  
11 provide different levels of assistance to low income customers based upon differences in local exchange  
12 rates. The plan established by the commission shall prescribe the amount of assistance to  
13 be provided and the time and manner of payment.

14 (2) For the purpose of establishing a plan to provide assistance to low income customers under  
15 this section, the commission shall require all public utilities, cooperative corporations[,] and  
16 unincorporated associations providing local exchange telecommunication service to participate in  
17 the plan, except as provided in subsection (3) of this section.

18 (3) In lieu of participation in the commission's plan to assist low income customers, a public  
19 utility, cooperative corporation[,] or unincorporated association providing local exchange telecommunication  
20 service may apply to the commission to establish an alternative plan for the purpose of  
21 carrying out the provisions of section 2, chapter 290, Oregon Laws 1987, for its own customers. The  
22 commission shall adopt standards for determining the adequacy of alternative plans.

23 (4) The commission may contract with any governmental agency to assist the commission in the  
24 administration of any assistance plan adopted pursuant to this section.

25 (5)(a) As used in sections 2 to 6, chapter 290, Oregon Laws 1987, "low income customer" means  
26 an individual determined by the commission:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       **(A)** To be receiving benefits from the federal food stamp program or from another low income  
2 public assistance program for which eligibility requirements **limit participation to individuals with**  
3 **income that does** *[do]* not exceed 135 percent of *[the poverty level. The commission must be able to*  
4 *verify the individual's continuing participation in the qualifying program.]* **federal poverty guide-**  
5 **lines; or**

6       **(B)** To be a resident of a long term care facility, as defined in ORS 442.015, or a residen-  
7 tial care facility, as defined in ORS 443.400:

8       (i) Who receives medical assistance under ORS chapter 414; and

9       (ii) Who has income that does not exceed 135 percent of federal poverty guidelines.

10       **(b)** The commission must be able to verify the continuing participation of a low income  
11 customer in a program described in paragraph (a) of this subsection.

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