

REVENUE: Revenue statement issued

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	6 - 3 - 1
Yeas:	Cameron, Edwards C., Esquivel, Kennemer, Thatcher, Schaufler
Nays:	Barton, Holvey, Witt
Exc.:	Matthews
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	3/4, 3/27, 4/3

WHAT THE MEASURE DOES: Prohibits the regulation of rates, terms, and conditions of service of Voice over Internet Protocol and Internet Protocol-enabled services. Establishes exceptions.

ISSUES DISCUSSED:

- Potential for measure to generate Oregon-based jobs
- Types of Voice over Internet Protocol (VoIP) and Internet Protocol (IP) enabled services and products
- Level of consumer protection
- Impact on local government right of way privileges and cable franchise fees
- Efforts in other states and Congress to implement similar legislation
- Measure's provisions in relation to emerging and future advances in telecommunications

EFFECT OF COMMITTEE AMENDMENT: Modifies the definition of "Voice over Internet Protocol enabled service." Establishes circumstances in which the bill may not be construed to prohibit certain types of authority, rights, or duties.

BACKGROUND: Internet Protocol (IP) is the method by which data is sent from one computer to another on the Internet. Voice over Internet Protocol (VoIP) is a technology that allows voice calls to be made with a broadband Internet connection instead of an analog phone line. Internet Protocol-enabled services include a wide variety of products related to sending or receiving data, video, or voice communications such as instant messaging and video conferencing.

HB 2405-A prohibits regulation of VoIP, but establishes that the bill cannot modify certain types of regulatory authority currently given to state and local government agencies. Examples include the administration of currently imposed fees such as enhanced 9-1-1 service and universal service fees; rights or duties under federal code related to the interconnection of telecommunications services and procedures for telecommunications agreements; generally applicable state laws relating to consumer protection; taxing property used in and income derived from providing VoIP service; cable services as outlined in Title VI of the Communications Act of 1934; and management of the use of public rights of way and utility attachments regulation. HB 2405-A also allows the Department of Administrative Services to continue its regulatory authority on state agencies and clarifies that the state cannot take any action related to the measure's provisions that is preempted under federal law.

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This summary has not been adopted or officially endorsed by action of the committee.