

Senate Bill 143

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 John A. Kitzhaber for Public Utility Commission)

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 **as introduced**.

Removes requirement that income of low income customers of telecommunications public utilities who reside in long-term care or residential care facilities not exceed 135 percent of federal poverty guidelines in order to receive assistance.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to telecommunications service to low income customers; amending section 6, chapter 290,
3 Oregon Laws 1987; and declaring an emergency.

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, section 1, chapter 29, Oregon Laws 2007, and section 25, chapter 599, Oregon
7 Laws 2009, is amended to read:

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

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

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

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

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

28 (A) To be receiving benefits from the Supplemental Nutrition Assistance Program or from an-
29 other low income public assistance program for which eligibility requirements limit participation to

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 individuals with income that does not exceed 135 percent of federal poverty guidelines; or
2 (B) To be a resident of a long term care facility, as defined in ORS 442.015, or a residential care
3 facility, as defined in ORS 443.400, [:]
4 [(i)] who receives medical assistance under ORS chapter 414[: and]
5 [(ii) *Who has income that does not exceed 135 percent of federal poverty guidelines*].
6 (b) The commission must be able to verify the continuing participation of a low income customer
7 in a program described in paragraph (a) of this subsection.

8 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
9 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
10 **on its passage.**

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