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# A BILL FOR AN ACT

RELATING TO THE UNIVERSAL SERVICE PROGRAM.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the public utilities  
2       commission provides critical services that ensure access to a  
3       basic set of essential telecommunications services for  
4       individuals who are blind or visually impaired.

5       In 1995, the legislature established the universal service  
6       program, the purpose of which, in relevant part, is to help  
7       customers with disabilities access and maintain a basic set of  
8       essential telecommunications services as determined by the  
9       commission. By law, all telecommunications carriers are  
10      required to contribute to this program. However, the universal  
11      service program is currently inactive with no funds available in  
12      the universal service fund. Moreover, the public utilities  
13      commission lacks clear legislative authority to develop a  
14      program addressing print disability through the universal  
15      service fund and does not have budget authorization to expend  
16      funds for this purpose.



1 Accordingly, the purpose of this Act is to provide clearer  
2 authorization and guidance for the public utilities commission  
3 to implement and manage the universal service program  
4 effectively, using funds from the universal service fund.

5 SECTION 2. Section 269-41, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "[+]§269-41[+] **Universal service program; establishment;**  
8 **purpose; principles.** There is established the universal service  
9 program. The purpose of this program is to:

10 (1) Maintain affordable, just, and reasonable rates for  
11 basic residential telecommunications service, as  
12 defined by the commission;

13 (2) Assist customers located in the areas of the State  
14 that have high costs of essential telecommunications  
15 service, low-income customers, and customers with  
16 disabilities, in obtaining and maintaining access to a  
17 basic set of essential telecommunications services as  
18 determined by the commission. The commission may  
19 expand or otherwise modify relevant programs, such as  
20 the lifeline program under section 269-16.5;



1 (3) Ensure that consumers in all communities are provided  
2 with access, at reasonably comparable rates, to all  
3 telecommunications services [~~which~~] that are used by a  
4 majority of consumers located in metropolitan areas of  
5 the State. The commission shall provide for a  
6 reasonable transition period to support the statewide  
7 deployment of these advanced telecommunications  
8 services, including[~~7~~] but not limited to[~~7~~] the use  
9 of strategic community access points in public  
10 facilities, such as education, library, and health  
11 care facilities;

12 (4) Ensure that consumers are given the information  
13 necessary to make informed choices among the  
14 alternative telecommunications carriers and services;  
15 [~~and~~]

16 (5) Promote affordable access throughout the State to  
17 enhanced government information and services,  
18 including education, health care, public safety, and  
19 other government services[~~7~~]; and

20 (6) Ensure access to essential telecommunications services  
21 for individuals with print disabilities, including



1       providing free, print-disability-friendly telephonic  
2       access to time-sensitive information for individuals  
3       who are blind or visually impaired. For the purposes  
4       of this paragraph, "time-sensitive information"  
5       includes state and government information, public  
6       notices, emergency alerts, job opportunities, and  
7       daily newspapers.

8       The commission shall administer the universal service  
9       program, including the establishment of criteria by which the  
10      purposes of the program are met."

11      SECTION 3. Section 269-42, Hawaii Revised Statutes, is  
12      amended as follows:

13      1. By amending subsections (a) and (b) to read:

14      "(a) There is established outside of the state treasury a  
15      special fund to be known as the universal service fund to be  
16      administered by the commission to implement the policies and  
17      goals of universal service[+] through the universal service  
18      program. The fund shall consist of contributions from the  
19      sources identified in subsections (e) and (f). Interest earned  
20      from the balance of the fund shall become a part of the fund.  
21      The commission shall adopt rules regarding the distribution of



1 moneys from the fund including reimbursements to carriers for  
2 providing reduced rates to low-income, elderly, residents of  
3 underserved or rural areas, or other subscribers, as authorized  
4 by the commission.

5 (b) The commission may use available funds in the fund to  
6 provide free telephonic access to time-sensitive information for  
7 individuals with print disabilities; provided that the amount of  
8 funds expended from the fund for this purpose shall not exceed  
9 \$\_\_\_\_\_. The commission may allow distribution of funds  
10 from the fund directly to customers based upon a need criteria  
11 established by the commission."

12 2. By amending subsection (f) to read:

13 "(f) The commission shall designate the method by which  
14 the contributions under subsection (e) shall be calculated and  
15 collected. The commission shall consider basing contributions  
16 solely on the gross operating revenues from the retail provision  
17 of intrastate telecommunications services offered by the  
18 telecommunications carriers subject to the contribution. The  
19 commission may determine the percentage of telecommunications  
20 fees to be contributed to the universal service fund."



1           SECTION 4. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.  
3           SECTION 5. This Act shall take effect on July 1, 3000.



**Report Title:**

PUC; Telecommunications Access; Universal Service Programs;  
Universal Service Fund; Print Disabilities

**Description:**

Clarifies that the Public Utilities Commission under the  
Universal Service Program may provide, and may use funds from  
the Universal Service Fund to provide, free telecommunications  
access to individuals with print disabilities. Effective  
7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

