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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 766

Session of  
1983

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INTRODUCED BY MELLOW, MAY 26, 1983

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REFERRED TO STATE GOVERNMENT, MAY 26, 1983

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AN ACT

1 Providing for a Statewide emergency telephone number "911"  
2 system; establishing a Telecommunications Unit within the  
3 Department of General Services; providing for funding of the  
4 system; and making a repeal.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Public Safety  
9 Emergency Telephone Act.

10 Section 2. Legislative intent.

11 The General Assembly declares it to be in the public interest  
12 to provide a toll free number "911" for any individual within  
13 the Commonwealth to gain rapid, direct access to emergency aid.  
14 The number shall be provided with the objective of reducing  
15 response time to situations requiring law enforcement, fire,  
16 medical, rescue or other emergency service. It is the further  
17 intent of the General Assembly that authority and responsibility  
18 for establishing, operating and maintaining adequate facilities

1 for answering emergency calls and dispatching a proper response  
2 to the callers' needs shall be vested in the county government.  
3 Each county is encouraged to implement the "911" system and to  
4 consider maximum integration of telecommunications facilities  
5 and capabilities within their planning, in order to economize  
6 the costs, as well as to effect a more rapid response  
7 capability.

### 8 Section 3. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Basic 911 system." A system which permits a person dialing  
13 "911" by telephone to be connected to a public safety answering  
14 point via normal telephone facilities for the reporting of  
15 police, fire, medical or other emergency situations.

16 "County plan." A document submitted by the county to the  
17 Telecommunications Unit, outlining its proposed "911" system.

18 "Emergency telephone contribution rate." A fee assessed  
19 against a telephone subscriber for the recurring charges for the  
20 basic "911" system which shall not exceed a 2% charge for  
21 administrative expenses.

22 "Public agency." The Commonwealth, political subdivision,  
23 public authority, municipal authority or any organization  
24 located in whole or in part within the Commonwealth which  
25 provides or has the authority to provide fire fighting, law  
26 enforcement, ambulance, emergency medical or other emergency  
27 services.

28 "Public safety answering point or 'PSAP'." The first point  
29 where calls for emergency assistance from individuals are  
30 answered.

1 "Telephone subscriber." Any person who contracts with a  
2 telephone company within the Commonwealth for telephone service,  
3 either residential or commercial, in return for which he is  
4 billed on a monthly basis.

5 "Unit." The Telecommunications Unit within the Department of  
6 General Services.

7 Section 4. Telecommunications Unit.

8 (a) Establishment.--There is hereby established a  
9 Telecommunications Unit within the Department of General  
10 Services. The unit staff shall have technical members, who are  
11 telecommunications professionals certified and employed through  
12 the Civil Service Commission.

13 (b) Powers and duties.--The unit shall have the following  
14 powers and duties:

15 (1) To be responsible for the central management of  
16 telecommunications for the Commonwealth.

17 (2) To provide information regarding Federal or State  
18 grants to implement the "911" system, for which counties may  
19 be eligible.

20 (3) To provide technical assistance, as requested by the  
21 counties, in developing their basic "911" system. Each "911"  
22 plan shall be designed to meet the individual circumstances  
23 of each community and the public agencies participating in  
24 the "911" system.

25 (4) To establish and promulgate guidelines by which the  
26 counties are to submit their respective plans and minimum  
27 standards for all county plans. To receive, review and  
28 approve or disapprove all basic "911" system county plans,  
29 either on an initial application basis, expansion of an  
30 approved plan or renewal of an existing plan.

1           (5) To forward the approved county plan and a suggested  
2           contribution rate to the Public Utility Commission. If the  
3           plan is rejected, it shall be returned to the unit which  
4           shall revise the plan to meet the Public Utility Commission  
5           objections.

6           (6) To provide technical assistance to county  
7           governments to publicize the implementation of "911"  
8           throughout the area.

9   Section 5. Counties.

10          The governing body of the counties shall have the following  
11          powers and duties in relation to the "911" system:

12           (1) To designate a member of county government as a  
13           coordinator who shall serve as a point of contact with the  
14           unit to develop a plan for the implementation, operation and  
15           maintenance of a "911" system. The county plan shall be  
16           adequate to provide service for the entire county at the time  
17           it is submitted for approval to the unit.

18           (2) To make arrangements with each telephone company  
19           operating within the county's jurisdiction to provide "911"  
20           service. To send a copy of the proposed plan to the  
21           appropriate telephone company upon submission of the plan to  
22           the unit.

23           (3) To cooperate with the unit in preparation and  
24           submission of the approved plan and contribution rate to the  
25           Public Utility Commission for rate approval.

26           (4) To submit the question to the voters of the county  
27           for approval of whether or not to establish the approved  
28           "911" plan in the county.

29           (5) To execute all contracts, mutual aid agreements,  
30           cross service agreements and all other necessary documents

1       which may be required in the implementation of the county  
2       plan. When an individual physically resides in an adjacent  
3       county, but receives telephone service from a central office  
4       in a county which provides 911 service, it shall be the  
5       responsibility of the county with the 911 service to notify  
6       the appropriate public agency of a request for emergency  
7       service from such an individual.

8   Section 6. County plan; procedure; funding.

9       (a) Minimum standards.--Upon the agreement of the governing  
10      authority to establish a "911" system, a plan shall be drafted  
11      meeting those minimum standards outlined by the unit. The county  
12      may obtain technical assistance from the unit in formulating its  
13      plan.

14      (b) Completion.--Upon completion of the plan, it shall be  
15      forwarded to the unit, with a copy of the plan being sent to  
16      those telephone companies affected by the plan.

17      (c) Contribution rate.--The unit shall have 90 days to  
18      review the plan and make suggested revisions of the plan. After  
19      the 90-day period, the unit must accept or reject the plan and  
20      formulate a rate of contribution to fund the ongoing monthly  
21      charges for the system. The contribution rate shall be based on  
22      the number of telephone subscribers serviced within the county.

23      (d) Public Utility Commission review.--The unit shall  
24      forward the plan to the Public Utility Commission with the  
25      estimated cost of the plan and a requested contribution rate.  
26      The Public Utility Commission shall be able to review the plan  
27      only in relation to the contribution rate, and may reject only  
28      those contribution rates which it finds excessive to meet the  
29      costs outlined in the plan. The rates shall be reviewed and  
30      returned by the Public Utility Commission within 30 days of the

1 date of submission. If the plan is rejected, it shall be  
2 returned to the unit.

3 (e) Submission to voters.--Once the plan is approved by the  
4 unit and reviewed by the Public Utility Commission pursuant to  
5 this section, it shall be submitted to the voters pursuant to  
6 section 7.

7 (f) Present systems.--Those counties which presently have  
8 basic "911" systems and wish to receive funding shall be  
9 required to file a plan with the unit describing the present  
10 system and any immediate expansion or change anticipated with  
11 respect to the "911" system for which funding is required. Such  
12 plan shall be treated in the same manner as if it were a plan to  
13 create a new system. If a county presently has a "911" system  
14 and does not desire to obtain funding under the provisions of  
15 this act, the county shall submit a report to the unit every  
16 four years describing its system and stating its operational  
17 aims.

18 (g) Regional systems.--Nothing in this act shall be  
19 construed to prohibit the formation of multijurisdictional or  
20 regional "911" systems and any system established pursuant to  
21 this act may include the territory of more than one county or  
22 may include a segment of the territory of a county. It shall not  
23 be necessary for two counties who have received voter approval  
24 to submit the question for a multijurisdictional system.

25 (h) Contribution rate fixed.--Once a plan has been approved  
26 by the voters and established, the contribution rate shall  
27 remain fixed for a period of four years. Substantial expansion  
28 or change of the system shall require an amended plan to be  
29 filed with the unit. Requests for contribution rate increases  
30 shall be submitted on a four-year basis to the unit and the

1 Public Utility Commission but shall not require voter approval.

2 (i) Assessment.--The moneys collected shall be utilized only  
3 to pay for the operation of a basic "911" system and may be  
4 assessed after the execution of a contract but no earlier than  
5 90 days prior to the operation of "911" service.

6 Section 7. Submission to voters for approval.

7 Before any county may establish a "911" system and impose an  
8 emergency telephone contribution under the provisions of this  
9 act, it shall submit a proposal to county voters for their  
10 approval. The ballot shall contain, but need not be limited to,  
11 the following language:

12 Shall the County of (name) establish an emergency "911"  
13 telephone service system and impose a contribution upon  
14 individuals to finance such service?

15 If a majority of the votes cast on the proposal by the qualified  
16 voters voting thereon are in favor of the proposal, the county  
17 shall establish the service and impose the contribution allowed  
18 by the provisions of this act. If a majority of the votes cast  
19 on the proposal are opposed to the proposal, the county  
20 submitting the proposal shall not be allowed to implement the  
21 provisions of this act until it has again submitted such  
22 proposal to its qualified voters and a majority of the votes  
23 cast are in favor of the proposal.

24 Section 8. Collection of contribution.

25 (a) Subscriber's contribution.--The telephone company  
26 operating within the county shall collect the contribution from  
27 the subscriber and forward the collection quarterly to the  
28 county treasurer or his designee. The amount of the subscriber's  
29 contribution shall be stated separately in the subscriber's  
30 telephone billing. The telephone company shall retain 1% of

1 gross receipts collected as cost of administration.

2 (b) Restricted account.--The county treasurer or his  
3 designee shall deposit the moneys received in a restricted  
4 account used for the sole purpose of monthly recurring charges  
5 billed for the basic "911" system. The governing body of the  
6 political entity involved shall make an annual appropriation  
7 from such account for the "911" system and shall retain 1% of  
8 the gross receipts collected to cover their administrative  
9 costs.

10 (c) Collection enforcement.--Nothing in this act shall  
11 impose any obligation upon a telephone company to take legal  
12 action to enforce collection of the contribution imposed by this  
13 section. The telephone company shall provide the county with a  
14 list of amounts uncollected along with the names and addresses  
15 of the telephone subscribers who have not paid the contribution.  
16 Section 9. Penalty.

17 Any person who intentionally calls the "911" emergency number  
18 for other than emergency purposes commits a misdemeanor of the  
19 third degree.

20 Section 10. Repeal.

21 Act of April 28, 1978 (P.L.90, No.42), known as the Emergency  
22 Telephone Act, is repealed.

23 Section 11. Effective date.

24 This act shall take effect immediately.