

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 54

Session of
1989

INTRODUCED BY McHALE, E. Z. TAYLOR, TRICH, MANDERINO, RYAN, HAYES, FOX, RUDY, TIGUE, MARKOSEK, HERSHEY, COWELL, PERZEL, WASS, FEE, BIRMELIN, GODSHALL, DISTLER, CESSAR, RAYMOND, CALTAGIRONE, D. W. SNYDER, FREEMAN, KUKOVICH, WOZNIAK, PRESSMANN, RITTER, BLAUM, CAPPABIANCA, BELARDI, RYBAK, D. R. WRIGHT, GRUPPO, CORRIGAN, WAMBACH, LaGROTTA, STEIGHNER, BLACK, BOYES, BORTNER, SEMMEL, DeWEESE, DORR, B. SMITH, G. SNYDER, PICCOLA, HESS, DeLUCA, KASUNIC, JAROLIN, MAINE, COY, YANDRISEVITS, MELIO, McCALL, WOGAN, BOWLEY, BROUJOS, MICHLOVIC, LUCYK, BELFANTI, CLYMER, REINARD, BURNS, COHEN, ROEBUCK, NOYE, CARN, LANGTRY, ITKIN, MRKONIC, CHADWICK, HAGARTY, LINTON, HUGHES, RICHARDSON, VAN HORNE, GAMBLE, LEVDANSKY, MURPHY, COLE, GEORGE, KOSINSKI, DOMBROWSKI, J. TAYLOR, VROON, LASHINGER, R. C. WRIGHT, HALUSKA, PETRONE, ROBBINS, COLAFELLA, DIETTERICK, BURD, LEH, CIVERA, VEON, GEIST, WILLIAMS, JOHNSON, LLOYD, STUBAN, STABACK, BUNT, HERMAN, JACKSON, S. H. SMITH, MERRY, PHILLIPS, SERAFINI, ARGALL, MORRIS, REBER, PISTELLA, ANGSTADT, FLICK, PRESTON, JAMES AND SCRIMENTI, JANUARY 18, 1989

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 3, 1989

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~~ NO-INTEREST LOANS TO HELP ESTABLISH 911 EMERGENCY <—
5 COMMUNICATION SYSTEMS, for a referendum and for contributions
6 from telephone subscribers; providing a penalty; ~~making~~ <—
7 ~~appropriations; and making a repeal.~~

8 The General Assembly declares it to be in the public interest
9 to provide a toll-free number 911 for any individual within this
10 Commonwealth to gain rapid, direct access to emergency aid. The
11 number shall be provided with the objective of reducing response

1 time to situations requiring law enforcement, fire, medical,
2 rescue or other emergency service. It is the further intent of
3 the General Assembly that authority and responsibility for THE <—
4 CREATION AND IMPLEMENTATION OF A PLAN establishing, operating
5 and maintaining adequate facilities for answering emergency
6 calls and dispatching a proper response to the callers' needs
7 shall be vested in the county government. Each county is
8 encouraged to implement a 911 emergency communication system and
9 to consider maximum integration of telecommunications facilities
10 and capabilities within their planning, in order to economize
11 the costs, as well as to effect a more rapid response
12 capability.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Short title.

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

18 Section 2. Definitions.

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

22 "911 emergency communication system" or "911 system." A
23 system which permits a person dialing "911" by telephone to be
24 connected to a public safety answering point, via normal
25 telephone facilities, for the reporting of police, fire, medical
26 or other emergency situations.

27 "AGENCY." THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY. <—

28 "Commission." The Pennsylvania Public Utility Commission.

29 "CONTRIBUTION RATE." A FEE ASSESSED AGAINST A TELEPHONE <—
30 SUBSCRIBER FOR THE OPERATING COSTS OF A 911 SYSTEM.

1 "COUNCIL." THE PENNSYLVANIA EMERGENCY MANAGEMENT COUNCIL.
2 "County plan." A document submitted by the county to the
3 ~~telecommunications unit~~ DEPARTMENT, outlining its proposed 911 <—
4 system, INCLUDING A CONTRIBUTION RATE. <—
5 "Department." The Department of ~~General Services~~ COMMUNITY <—
6 AFFAIRS of the Commonwealth.
7 ~~"Emergency telephone contribution rate." A fee assessed~~ <—
8 ~~against a telephone subscriber for the recurring charges for a~~
9 ~~911 system.~~
10 "EMERGENCY COMMUNICATIONS LOAN ACCOUNT." A RESTRICTED <—
11 ACCOUNT WITHIN THE STATE PURCHASING FUND TO BE USED BY THE
12 DEPARTMENT FOR NO-INTEREST LOANS TO COUNTIES FOR THE
13 ESTABLISHMENT OF 911 EMERGENCY COMMUNICATION SYSTEMS.
14 ~~"Installation grants." Grants provided to counties from~~ <—
15 ~~general revenues to reimburse the initial expenses of~~
16 ~~implementing a 911 system.~~
17 "INSTALLATION LOANS." LOANS PROVIDED TO COUNTIES FROM THE <—
18 EMERGENCY COMMUNICATIONS LOAN ACCOUNT FOR THE EXPENSES OF
19 IMPLEMENTING, EXPANDING OR UPGRADING A 911 SYSTEM. Expenses
20 eligible for ~~reimbursement~~ A LOAN shall include telephone <—
21 terminal equipment, trunk line service installation, network
22 changes, ~~central office upgrades~~, building of initial data base <—
23 and any other nonrecurring costs to establish a 911 system.
24 Expenses not eligible for ~~reimbursement~~ A LOAN shall include <—
25 purchase of real estate, cosmetic remodeling, CENTRAL OFFICE <—
26 UPGRADES, hiring and training of dispatchers, mobile
27 communications EQUIPMENT, ambulances, fire engines or other <—
28 emergency vehicles, utilities, taxes and salaries ~~among others~~ <—
29 ~~as stipulated by the telecommunications unit and the plan.~~ AND <—
30 OTHER EXPENSES AS DETERMINED BY THE DEPARTMENT.

1 "Local exchange telephone service." The provision of
2 telephonic message transmission within an exchange, as such is
3 defined and described in tariffs filed with and approved by the
4 commission.

5 "Public agency." The Commonwealth or a political
6 subdivision, public authority, municipal authority or any
7 organization located in whole or in part within this
8 Commonwealth which provides or has the authority to provide
9 firefighting, law enforcement, ambulance, emergency medical or
10 other emergency services.

11 "Public safety answering point" or "PSAP." The first point
12 at which calls for emergency assistance from individuals are
13 answered, operated 24 hours a day.

14 "Telephone subscriber." A person who contracts with a
15 telephone company within this Commonwealth for local exchange
16 telephone service, either residential or commercial,~~in return~~ <—
17 ~~for which the person is billed on a monthly basis.~~ When the same
18 person, business or organization has several telephone numbers,
19 each number shall constitute a separate subscription. For
20 purposes of the contribution rate, the term shall not include
21 pay stations owned or operated by a regulated public utility.

22 ~~"Unit." The telecommunications unit within the department.~~ <—

23 Section 3. Telecommunications ~~unit~~ MANAGEMENT. <—

24 ~~(a) Establishment. The department shall establish an~~ <—
25 ~~operational telecommunications unit within 120 days of the~~
26 ~~effective date of this act. The unit shall employ~~
27 ~~telecommunications professionals hired under the act of August~~
28 ~~5, 1941 (P.L. 752, No. 286), known as the Civil Service Act.~~

29 ~~(b)~~ (A) Powers and duties OF DEPARTMENT.--The ~~unit~~ <—
30 DEPARTMENT shall have the following powers and duties: <—

~~(1) To be responsible for the central management of telecommunications for this Commonwealth.~~

~~(2) (1) To provide information regarding State installation grants LOANS for implementing 911 systems for eligible counties.~~

~~(3) (2) To establish guidelines and application procedures for the dissemination of installation grants LOANS.~~

~~(4) To provide technical assistance, as requested by the counties, in developing a 911 system. Each 911 plan shall be designed to meet the individual circumstances of each community and the public agencies participating in the 911 system.~~

~~(5) To promulgate rules and regulations containing minimum standards for all county plans and procedures for submission thereof.~~

~~(6) (3) To receive, review and approve or disapprove all 911 system county plans., either on an initial application basis, expansion of an approved plan or renewal of an existing plan.~~

~~(7) To forward the approved county plan and suggested and suggested contribution rate to the commission. If the contribution rate is rejected, the plan shall be returned to the unit, which shall revise the contribution rate to meet the commission objections.~~

~~(8) To provide technical assistance to county governments to publicize the implementation of a 911 system throughout the area.~~

~~(9) To audit annually county expenditures for the operation and maintenance of 911 systems.~~

1 (4) TO FORWARD A COPY OF EACH COUNTY PLAN APPLICATION TO <—
2 THE COUNCIL AND THE COMMISSION FOR THEIR REVIEW AS REQUIRED
3 BY THIS ACT.

4 ~~(10)~~ (5) To submit an annual report, not later than <—
5 January 1 of each year, to the Governor, ~~the secretary of the~~ <—
6 ~~department~~ and the General Assembly and include at least the
7 following:

8 (i) The extent to which 911 systems currently exist
9 in Pennsylvania.

10 (ii) Those counties which completed installation,
11 and costs and expenses for installation.

12 (iii) An anticipated schedule for installing a 911
13 system on a county basis for that year.

14 ~~(iv) The estimated cost of installing the 911~~ <—
15 ~~system.~~

16 ~~(v) Any suggested changes to this act.~~

17 (B) POWERS AND DUTIES OF THE COUNCIL.--THE COUNCIL SHALL <—
18 HAVE THE FOLLOWING POWERS AND DUTIES:

19 (1) TO ESTABLISH TECHNICAL STANDARDS FOR ALL COUNTY
20 PLANS.

21 (2) TO REVIEW ALL COUNTY PLANS INCLUDING THE INITIAL
22 APPLICATION FORWARDED BY THE DEPARTMENT FOR CONFORMITY TO THE
23 TECHNICAL STANDARDS.

24 (3) TO REVIEW COUNTY PLANS TO DETERMINE IF EQUIPMENT
25 CONFORMS TO THE TECHNICAL STANDARDS.

26 (4) TO RECOMMEND APPROVAL OF PLANS OR INDICATE
27 DEFICIENCIES IN PLANS TO THE DEPARTMENT.

28 (C) POWERS AND DUTIES OF THE COMMISSION.--THE COMMISSION
29 SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

30 (1) REVIEW THE CONTRIBUTION RATE REQUESTED BY THE COUNTY

1 BASED ON THE COSTS OF THE PLAN.

2 (2) APPROVE OR MODIFY THE CONTRIBUTION RATE REQUESTED BY
3 THE COUNTY AND FORWARD ITS DECISION TO THE DEPARTMENT.

4 Section 4. Counties.

5 (a) Powers and duties.--The ~~governing body of a county~~ BOARD <—
6 OF COUNTY COMMISSIONERS, OR, IN A HOME RULE COUNTY, THE
7 APPROPRIATE BODY ACCORDING TO THE HOME RULE CHARTER, shall have
8 the following powers and duties in relation to a 911 system:

9 (1) To designate a member of county government as a
10 coordinator who shall serve as a point of contact with the
11 ~~unit to~~ DEPARTMENT AND SHALL develop a COUNTY plan for the <—
12 implementation, operation and maintenance of a 911 system.
13 Where technologically feasible, the county plan shall be
14 adequate to provide service for the entire county ~~at the time~~ <—
15 ~~it is submitted for approval to the unit.~~

16 (2) To make arrangements with each telephone company
17 providing local exchange telephone service within the
18 county's jurisdiction to provide 911 service.

19 (3) To send a copy of the proposed COUNTY plan to the <—
20 appropriate telephone company upon submission of the plan to
21 the ~~unit~~ DEPARTMENT. <—

22 ~~(4) To cooperate with the unit in preparation and~~ <—
23 ~~submission of an installation grant.~~

24 ~~(5)~~ (4) To cooperate with the ~~unit~~ DEPARTMENT, THE <—
25 COUNCIL AND THE COMMISSION in preparation and submission of
26 the ~~approved~~ COUNTY plan and contribution rate. ~~to the~~ <—
27 ~~commission for rate approval.~~

28 ~~(6)~~ (5) To submit the question to the voters of the
29 county for approval of whether or not to establish the
30 approved 911 plan in the county ~~or, as to a previously~~ <—

1 ~~established 911 system, to submit the question to the voters~~
2 ~~of the county for approval of whether or not~~ AND to impose <—
3 the contribution allowed by this act.

4 ~~(7)~~ (6) To execute all contracts, mutual aid agreements, <—
5 cross-service agreements and all other necessary documents
6 which may be required in the implementation of the county
7 plan.

8 (b) Persons outside THE county.--When an individual <—
9 physically resides in an adjacent county, but receives local
10 exchange telephone service from a central office in a county
11 which provides 911 service, it shall be the responsibility of
12 the county with the 911 service to notify the appropriate public
13 agency of a request for emergency service from such an
14 individual.

15 (c) Cities of the third class.--Any city of the third class
16 may exercise the powers and duties of counties under this act.
17 Section 5. County plan.

18 (a) Minimum standards.--Upon the agreement of the governing
19 authority OF A COUNTY to establish a 911 system, a plan shall be <—
20 drafted meeting at least the minimum TECHNICAL standards <—
21 promulgated by the ~~unit~~ COUNCIL. The county may obtain technical <—
22 assistance from the ~~unit~~ COUNCIL in formulating its plan. EACH <—
23 911 PLAN SHALL BE DESIGNED TO MEET THE INDIVIDUAL CIRCUMSTANCES
24 OF EACH COMMUNITY AND THE PUBLIC AGENCIES PARTICIPATING IN THE
25 911 SYSTEM.

26 (b) Completion.--Upon completion of the plan, it shall be
27 forwarded to the ~~unit~~ DEPARTMENT, with a copy of the plan being <—
28 sent to those telephone companies affected by the plan.

29 ~~(c) Unit review. The unit shall have 90 days to review the~~ <—
30 ~~plan and make suggested revisions of the plan. Within the 90 day~~

~~period, the unit must accept or reject the plan and formulate a rate of contribution to fund the ongoing monthly charges for the system. The contribution rate shall be based on the number of telephone subscribers serviced within the proposed 911 system.~~

(C) DEPARTMENT REVIEW.--THE DEPARTMENT SHALL INITIALLY REVIEW THE COUNTY PLAN AND THE LOAN APPLICATION FOR COMPLETENESS. THE DEPARTMENT SHALL FORWARD A COPY OF THE COUNTY PLAN AND THE PROPOSED CONTRIBUTION RATE TO THE COUNCIL AND THE COMMISSION FOR REVIEW AS REQUIRED BY THIS SECTION. AFTER THE COUNTY PLAN HAS BEEN REVIEWED BY THE COUNCIL AND THE COMMISSION, THE DEPARTMENT SHALL APPROVE OR REJECT A COUNTY PLAN BASED ON THE RECOMMENDATIONS OF THE COUNCIL AND THE COMMISSION. IF THE COUNTY PLAN IS REJECTED, THE DEPARTMENT SHALL RETURN THE COUNTY PLAN AND EXPLAIN THE DEFICIENCIES THAT CAUSED THE REJECTION.

(D) COUNCIL REVIEW.--THE COUNCIL SHALL HAVE 60 DAYS TO REVIEW THE PLAN AND MAKE SUGGESTED REVISIONS OF THE PLAN. THE COUNCIL SHALL SUBMIT ITS FINDINGS IN WRITING TO THE DEPARTMENT. THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY MAY ACT AS AGENT FOR THE COUNCIL IN THE ADMINISTRATION OF THE PLAN APPROVAL PROCESS.

~~(d) (E) Commission review.--The unit shall forward the plan to the commission with the estimated cost of the plan and a requested contribution rate. The commission shall review the COUNTY plan only in relation to the contribution rate and may reject MODIFY only those contribution rates which it finds excessive to meet the costs stated in the plan. The rates shall be reviewed and returned by the commission A DECISION FORWARDED TO THE DEPARTMENT within 60 days of the date of submission. If the plan is rejected, it shall be returned to the unit. IF THE COMMISSION FAILS TO REVIEW THE CONTRIBUTION RATE WITHIN 60 DAYS,~~

1 THE CONTRIBUTION RATE WILL BE DEEMED APPROVED BY THE COMMISSION.

2 ~~(e)~~ (F) Submission to voters.--Once the plan is approved by <—
3 the ~~unit~~ DEPARTMENT and the contribution rate has been approved <—
4 by the commission pursuant to this section, the plan shall be
5 submitted to the voters pursuant to section 6.

6 ~~(f)~~ (G) Present systems.--Those counties that presently have <—
7 911 systems ~~shall be eligible for installation grants for~~ <—
8 ~~purposes of updating and expanding present systems. Any county~~
9 ~~that wishes to convert to a telephone contribution rate to cover~~
10 ~~recurring expenses will be subject to the same approval~~
11 ~~mechanism as new systems.~~ MAY ESTABLISH A CONTRIBUTION RATE TO <—
12 COVER OPERATING COSTS OF AN EXISTING 911 SYSTEM BY USING THE
13 SAME CONTRIBUTION RATE APPROVAL MECHANISM AS A NEW 911 SYSTEM,
14 EXCEPT THAT SUCH CONTRIBUTION RATE NEED NOT BE SUBMITTED TO THE
15 VOTERS.

16 ~~(g)~~ (H) Regional systems.--Nothing in this act shall be <—
17 construed to prohibit the formation of multijurisdictional or
18 regional 911 systems, and any system established under this act
19 may include the territory of a county. It shall not be necessary
20 for two counties ~~who~~ THAT have received voter approval to submit <—
21 the question for a multijurisdictional system.

22 ~~(h)~~ (I) Contribution rate ~~fixed~~ CHANGES.--Once a plan and <—
23 contribution rate have been approved by the voters and
24 established, the contribution rate shall remain fixed for a
25 period of AT LEAST four years. Updating and expanding the <—
26 present system shall require an amended plan to be filed with
27 the ~~unit~~ DEPARTMENT. Requests for contribution rate ~~increases~~ <—
28 CHANGES shall be submitted ~~on a four year basis to the unit and~~ <—
29 ~~the commission for approval but shall not require voter~~
30 ~~approval.~~ TO THE DEPARTMENT TO BE FORWARDED TO THE COMMISSION <—

1 FOR APPROVAL AS PROVIDED BY SUBSECTION (E). CONTRIBUTION RATE
2 CHANGES SHALL NOT REQUIRE VOTER APPROVAL. CONTRIBUTION RATE
3 INCREASES SHALL NOT BE PERMITTED MORE OFTEN THAN EVERY FOUR
4 YEARS AND SHALL NOT TAKE EFFECT UNLESS APPROVED BY THE
5 COMMISSION.

6 ~~(i)~~ (J) Assessment.--The moneys collected from the telephone <—
7 contribution rate shall be utilized only to pay for the
8 operation of a 911 system. ~~and may be assessed~~ THE ASSESSMENT <—
9 MAY BE MADE after the execution of a contract but no earlier
10 than 90 days prior to the operation of 911 service.

11 Section 6. Referendum.

12 (a) Question.--Before any county may establish a 911 system
13 and impose ~~an emergency telephone~~ A contribution RATE under this <—
14 act, it shall submit the proposal to the electors of the county
15 for their approval at the next municipal or general election for
16 which the advertising requirements of the act of June 3, 1937
17 (P.L.1333, No.320), known as the Pennsylvania Election Code, can
18 be met. The question shall be:

19 Shall the county of establish a 911
20 emergency communication system and impose a current
21 contribution rate of each month upon all telephone
22 subscribers to finance such service?

23 (b) Acceptance or rejection.--If a majority of the votes
24 cast on the proposal by the qualified electors voting thereon
25 are in favor of the proposal, the county shall establish the
26 service and impose the contribution RATE allowed by this act. If <—
27 a majority of the votes cast on the proposal are opposed to the
28 proposal, the county submitting the proposal shall not ~~implement~~ <—
29 BE ELIGIBLE FOR AN INSTALLATION LOAN FROM THE DEPARTMENT AS <—
30 PROVIDED FOR IN this act. The question may be put before the

1 electors at any subsequent election, pursuant to this section.

2 ~~(c) Previously established systems. Before a county with a~~ <—
3 ~~previously established 911 system may impose an emergency~~
4 ~~telephone contribution under this act, it shall submit the~~
5 ~~proposal to the electors of the county in the same manner as~~
6 ~~provided in subsection (a), except that the question shall be~~
7 ~~limited to imposition of the stated current contribution rate,~~
8 ~~and the provisions of subsection (b) shall apply as to~~
9 ~~acceptance or rejection of imposition of the contribution.~~

10 ~~(d)~~ (C) Conduct of referendum.--The referendum under this <—
11 section shall be held in accordance with the Pennsylvania
12 Election Code.

13 Section 7. Collection and disbursement of contribution.

14 (a) Subscribers' contribution; ~~general rule.~~--Each service <—
15 supplier providing local exchange telephone service within the
16 county shall collect the contribution from each subscriber and
17 forward the collection quarterly to the county treasurer, OR, IN <—
18 A HOME RULE COUNTY, THE COUNTY OFFICIAL RESPONSIBLE FOR THE
19 COLLECTION AND DISBURSEMENT OF FUNDS. The amount of the
20 subscribers' contribution shall be stated separately in the
21 telephone subscribers' billing. Each service supplier shall
22 retain ~~2%~~ 1% of the gross receipts collected to cover <—
23 administrative costs.

24 (b) Subscribers' contribution; FOR multiple line systems.-- <—
25 In the case of Centrex or similar multiple line system
26 subscribers, ~~one of~~ the following multipliers shall be applied <—
27 to determine the contribution RATE of each such subscriber. If <—
28 the system contains:

29 (1) ~~25 lines or less~~ FOR THE FIRST 25 LINES, each line <—
30 shall be billed at the approved contribution rate;. <—

1 (2) ~~26 lines to 100 lines~~ FOR LINES 26 THROUGH 100, each <—
2 line shall be billed at 0.75 of the approved contribution
3 rate~~+~~. <—
4 (3) ~~101 lines to 250 lines~~ FOR LINES 101 THROUGH 250, <—
5 each line shall be billed at 0.50 of the approved
6 contribution rate~~+~~. <—
7 (4) ~~251 lines to 500 lines~~ FOR LINES 251 THROUGH 500, <—
8 each line shall be billed at 0.20 of the approved
9 contribution rate~~+~~ ~~or~~. <—
10 (5) ~~501 lines~~ FOR LINES 501 or more, each line shall be <—
11 billed at 0.172 of the approved contribution rate.
12 (c) Restricted account.--The county treasurer, OR, IN A HOME <—
13 RULE COUNTY, THE COUNTY OFFICIAL RESPONSIBLE FOR THE COLLECTION
14 AND DISBURSEMENT OF FUNDS shall deposit the moneys received in
15 an interest-bearing restricted account used solely for the
16 purpose of ~~monthly~~ recurring charges billed for the 911 system <—
17 and for the purpose of making payments under subsection ~~(e)~~ (D). <—
18 The governing body of the county shall make an annual
19 appropriation from such account for the 911 system, subject to
20 the provisions of subsection ~~(e)~~ (D), and ~~shall retain~~ MAY <—
21 RETAIN UP TO 1% of the gross receipts collected to cover
22 administrative costs.
23 (d) ~~Disbursement~~ REIMBURSEMENT to municipalities.--The <—
24 county treasurer shall, on a quarterly basis, pay from funds of
25 the restricted account to a municipality which operates a 911
26 system established prior to the effective date of this act, a
27 sum of money not less than that contributed by the telephone
28 subscribers of that municipality to the county 911 system
29 ~~through the telephone contribution rate.~~ <—
30 (e) Collection enforcement.--Nothing in this act shall

1 impose any obligation upon a telephone company to take legal
2 action to enforce collection of the contribution imposed by this
3 section. Upon request by the county, the telephone company shall
4 provide the county with a list of amounts uncollected along with
5 the names and addresses of the telephone subscribers who have
6 not paid the 911 contribution RATE. <—

7 ~~Section 8. Source of funds.~~ <—

8 ~~(a) General rule. Funds for installation grants shall be~~
9 ~~provided from the General Fund.~~

10 ~~(b) Deficiency appropriation. If, in any fiscal year,~~
11 ~~appropriations are insufficient to cover the costs of grants to~~
12 ~~those counties which make timely requests, the department shall~~
13 ~~report the fact to the General Assembly and request a deficiency~~
14 ~~appropriation of funds to provide these grants. If a deficiency~~
15 ~~appropriation is not enacted, any county not receiving a grant~~
16 ~~shall receive first priority for any appropriation made for the~~
17 ~~next fiscal year.~~

18 ~~(c) Limit on funding. No county shall, in any year, be~~
19 ~~granted more than 20% of the total annual appropriation made for~~
20 ~~installation grants, unless there are insufficient applicants to~~
21 ~~consume the entire amount of the appropriation.~~

22 SECTION 8. STRUCTURE OF LOAN PROGRAM. <—

23 (A) SOURCE OF FUNDS.--FUNDS FOR INSTALLATION LOANS SHALL BE
24 PROVIDED FROM THE EMERGENCY COMMUNICATIONS LOAN ACCOUNT WITHIN
25 THE STATE PURCHASING FUND.

26 (B) LIMIT ON FUNDING.--NO COUNTY SHALL, IN ANY YEAR, BE
27 LOANED MORE THAN 20% OF THE TOTAL AMOUNT AVAILABLE FOR LOAN
28 UNLESS THERE ARE INSUFFICIENT APPLICANTS TO CONSUME THE ENTIRE
29 AVAILABLE AMOUNT.

30 (C) LOAN TERMS.--THE DEPARTMENT MAY ISSUE A LOAN TO A COUNTY

1 TO ESTABLISH A 911 SYSTEM UPON APPROVAL OF A COUNTY PLAN AS
2 REQUIRED BY SECTION 5 AND REFERENDUM AS REQUIRED BY SECTION 6.
3 LOANS ISSUED BY THE DEPARTMENT MUST BE REPAID IN EQUAL ANNUAL
4 INSTALLMENTS WITHIN FOUR YEARS OF ISSUANCE. THE COUNTY RECEIVING
5 THE LOAN SHALL NOT BE CHARGED INTEREST ON THE PRINCIPAL OF THE
6 LOAN. IF A COUNTY FAILS TO REPAY THE PRINCIPAL DUE TO THE
7 COMMONWEALTH IN ANY YEAR, THE COMMONWEALTH SHALL WITHHOLD AN
8 AMOUNT EQUAL TO THE UNPAID PRINCIPAL FROM THE COUNTY'S PORTION
9 OF THE LIQUID FUELS TAX ALLOCATION.

10 (D) STATUS REPORTS.--THE DEPARTMENT SHALL REPORT ANNUALLY TO
11 THE MAJORITY AND MINORITY LEADERS OF EACH HOUSE, THE STATUS OF
12 THE EMERGENCY COMMUNICATION LOAN ACCOUNT WITHIN THE STATE
13 PURCHASING FUND. THE REPORT SHALL BE SUBMITTED WITHIN A
14 REASONABLE PERIOD FOLLOWING THE END OF EACH FISCAL YEAR AND
15 SHALL SHOW LOAN DISBURSEMENTS, LOAN RECEIPTS, TRANSFERS AND THE
16 CASH BALANCE.

17 Section 9. Expenditures for maintenance and operation of 911
18 systems.

19 (a) Expenditures authorized.--During each county's fiscal
20 year, the county may expend the amounts distributed to it from
21 the ~~911 telephone~~ contribution rate for the maintenance and <—
22 operation of a county 911 system.

23 (b) Items included in maintenance and operation costs.--
24 Maintenance and operation costs may include telephone company
25 charges, equipment costs or equipment lease charges, repairs,
26 utilities, data base maintenance costs, personnel costs, AUDIT <—
27 COSTS, REPAYMENT OF INSTALLATION LOANS PROVIDED BY THE
28 DEPARTMENT and appropriate carryover costs from previous years.
29 MAINTENANCE AND OPERATION COSTS SHALL NOT INCLUDE ANY COST <—
30 NECESSARY TO HOUSE THE 911 SYSTEM.

1 (c) Limitations on expenditures.--The ~~unit~~ DEPARTMENT shall <—
2 adopt procedures to assure that the total amount collected from
3 the 911 contribution RATE shall be expended only for the <—
4 maintenance and operation of a county 911 system.

5 (d) Annual audit.--The ~~unit~~ DEPARTMENT shall ~~provide for an~~ <—
6 REQUIRE AN ANNUAL audit of each county's expenditures for the <—
7 maintenance and operation of 911 systems. THE ANNUAL AUDIT COST <—
8 SHALL BE PAID BY THE RESPECTIVE COUNTY FROM CONTRIBUTION RATE
9 REVENUES.

10 Section 10. Pay telephone access.

11 The commission shall promulgate regulations requiring free
12 access to 911 service from pay telephones.

13 Section 11. Telephone records.

14 (a) Access.--Each telephone service supplier shall provide
15 customer telephone numbers, names and service addresses to 911
16 systems when required. Although customer numbers, names and
17 service addresses shall be available to 911 systems, such
18 information shall remain the property of the disclosing service
19 supplier. The total cost of the system shall include expenses to
20 ~~provide and maintain~~ REIMBURSE TELEPHONE SERVICE SUPPLIERS FOR <—
21 PROVIDING AND MAINTAINING 911 information. This information
22 shall be used only in providing emergency response services to a
23 911 call. A person who uses or discloses data base information
24 for purposes other than handling a 911 call commits a
25 misdemeanor of the third degree.

26 (b) Privacy waived.--Private listing service customers in a
27 911 service district shall waive the privacy afforded by
28 nonlisted and nonpublished numbers when using the 911 emergency
29 service.

30 (c) Immunity.--No telephone company, or agents, or employees

1 of a telephone company shall be liable to any person who uses
2 the 911 emergency service established under this act, for
3 release to a public safety answering point of information
4 specified in this section that is not already part of the public
5 record, including nonpublished telephone numbers.

6 Section 12. Penalty.

7 Any person who intentionally calls the 911 emergency number
8 for other than emergency purposes commits a misdemeanor of the
9 third degree.

10 ~~Section 13. Appropriations.~~

<—

11 ~~(a) Installation grants. The sum of \$5,000,000, or as much~~
12 ~~thereof as may be necessary, is hereby appropriated to the~~
13 ~~Department of General Services for the fiscal year July 1, 1989,~~
14 ~~to June 30, 1990, for installation grants, including grants for~~
15 ~~installations made or installation costs incurred subsequent to~~
16 ~~January 1, 1985, provided that the installation involved is~~
17 ~~pursuant to a plan ultimately approved by the telecommunications~~
18 ~~unit created under this act.~~

19 ~~(b) Administration. The sum of \$250,000, or as much thereof~~
20 ~~as may be necessary, is hereby appropriated to the Department of~~
21 ~~General Services for the fiscal year July 1, 1989, to June 30,~~
22 ~~1990, for operation of the telecommunications unit.~~

23 ~~(c) Distribution of grants. Grants under this section shall~~
24 ~~be distributed as follows:~~

25 ~~(1) For systems or improvements costing \$500,000 or~~
26 ~~less, an installation grant shall be provided in the amount~~
27 ~~of \$250,000 or the full cost of the system or improvements,~~
28 ~~whichever is less.~~

29 ~~(2) For systems or improvements costing more than~~
30 ~~\$500,000, an installation grant in the amount of one half of~~

1 ~~the cost of the system or improvements shall be provided.~~

2 SECTION 13. RULES AND REGULATIONS. <—

3 THE DEPARTMENT, IN COOPERATION WITH THE COUNCIL AND THE
4 COMMISSION, MAY PRESCRIBE SUCH APPLICATION FORMS AND PROMULGATE
5 SUCH GUIDELINES, RULES AND REGULATIONS AS MAY BE NECESSARY TO
6 CARRY OUT THE PROVISIONS OF THIS ACT.

7 Section 14. Repeals.

8 The act of April 28, 1978 (P.L.90, No.42), known as the
9 Emergency Telephone Act, is repealed.

10 Section 15. Effective date.

11 This act shall take effect ~~July 1, 1989, or immediately,~~ <—

12 ~~whichever is later.~~ IN 60 DAYS. <—