
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1911

Session of
1981

INTRODUCED BY HONAMAN, GALLEN, FRYER, PICCOLA, GLADECK, KOLTER,
CORNELL, PRATT, STAIRS, BROWN AND ZWIKL, OCTOBER 13, 1981

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 13, 1981

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
9 Safety 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, unless the context clearly indicates otherwise, the
11 meanings given to them in this section:

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." 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 shall
4 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 co-operate 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 returned
2 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 who 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 establish
13 an emergency "911" telephone service system and
14 impose a contribution upon individuals to finance
15 such service?

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

25 Section 8. Collection of contribution.

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

1 subscribers' billing. The telephone company shall retain 1% of
2 gross receipts collected as cost of administration.

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

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

18 Any person who intentionally calls the "911" emergency number
19 for other than emergency purposes shall be guilty of a
20 misdemeanor of the third degree.

21 Section 10. Repeal.

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

24 Section 11. Effective date.

25 This act shall take effect immediately.