

**Senator Vulakovich
E-911 Reauthorization
May 13, 2015**

	Current Law	HB 911	Vulakovich Amendment
Fee	\$1.00 - \$1.50 on Wire Lines \$1.00 on Wireless \$1.00 on VOIP \$1.00 on Prepaid Wireless	\$1.65 on Wire Lines, Wireless, VOIP, and Prepaid Wireless *PEMA shall prepare and submit to the General Assembly a report and recommendations on the impacts of current and anticipated technological and market changes on the provision of 911 communications service, including the structure and adequacy of the surcharge and fund provided for under this chapter.	Same as HB 911
Revenues	Per PEMA's 2013 Report, total county expenditures were \$284 million while total 911 surcharge revenues from all required sources generated approximately \$190 million.	Per 2013 data, the \$1.65 fee is projected to generate \$314 million in total revenues and would result in an additional \$124 million.	Same as HB 911
Funding Formula	Calculated only against reimbursable costs which exclude part of personnel and training costs and the entirety of bricks-and-mortar facility improvements and overhead.	2%-PEMA Administration 12%-PEMA Statewide Projects 6%-PEMA Statewide Interconnectivity 5%- Distributed to Counties equally (Base) 75%- Distributed to Counties based on PEMA formula *Board to recommend formula/PEMA to make final decision	2%-PEMA Administration 15%-PEMA Statewide Projects/Interconnectivity 3%-Distributed to Counties equally (Base) 80%- Distributed to Counties based on PEMA formula (30% to be distributed to Counties based on Population and Call Volume)
Spending Controls	*County Plans reviewed/approved by PEMA *PEMA reimburses counties based on approved expenditures. *No PSAP shall receive a disbursement from the fund for any cost necessary to house the wireless E-911 system or for the purchase of real estate, cosmetic remodeling, ambulances, fire engines or other emergency vehicles, utilities, taxes and other expenses as determined by the	*County Plans reviewed/approved by PEMA *PEMA to cooperate with county and regional 911 systems to develop interconnectivity of 911 systems through the establishment, enhancement, operation and maintenance of an Internet protocol network. *Biennial performance audits of County PSAPs.	In addition to HB 911, Sen. Vulakovich is looking at: *Ensuring County System are interoperable with state and other counties (Governor Corbett's Interoperability Council). *Consistency in Staffing levels. *Linkage with Statewide Radio System.

<p>Spending Controls (continued)</p>	<p>agency. No PSAP may be funded for more than 70% of its agency-approved personnel training, salary and benefit costs during the agency's fiscal year. *PEMA shall require a triennial financial audit of each PSAP's use of the disbursements it has received from the fund and of a wireless provider's collection, deduction, retention, remittance and use of the amounts collected by the wireless provider under the wireless E-911 surcharge or the disbursements it received from the fund. These triennial financial audits shall be consistent with guidelines established by the agency, and the cost of each audit shall be paid from the fund.</p>	<p>*The fund shall be audited in a manner consistent with Commonwealth administered restricted receipts accounts. *PEMA shall require biennial performance audits of each PSAP's use of disbursements it has received from the fund, which shall include amounts placed in capital/operating reserves consistent with published guidelines established by the agency. The cost of each audit shall be paid from the fund. *Requires PEMA to establish and maintain an Inventory of all County 911. *Promotes regionalization. *Currently 67 counties and Allentown and Bethlehem are funded. HB 911 removes "Grandfather Clause" for Allentown and Bethlehem – allows Lehigh and Northampton Counties to consolidate these city operations. *Board shall advise the agency on regulations and guidelines relating to the administration and operation of 911 systems in this Commonwealth relating to the following: *Cost-saving measures to include joint purchasing opportunities. *Measures to promote regionalization of PSAPs. *Measures to promote next generation 911 technology. *To promote sharing of information among the agency, 911 systems and other State and local agencies relating to the operation and improvement of 911 systems.</p>	
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<p>Board Voting Non-Voting</p>	<p>*The director of the agency or his designee, who shall act as chairperson. *Two county commissioners. *Four county 911 program managers. *Four wireless providers licensed by the Federal Communications Commission. *Two landline telephone service provider representatives. *Two representatives each from fire services, emergency medical services and police. *The chairman and minority chairman of the Communications and Technology Committee of the Senate and the chairman and minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives, or their designees.</p>	<p>*The chairman and minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the Senate and the chairman and minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives or their designees. *The director of the agency, who shall act as chairperson. *The State 911 coordinator. *Four county or regional 911 coordinators. *Four county commissioners or home rule equivalent. *Four representatives of communication service providers, including one local exchange carrier, one VoIP provider and two wireless providers. *One representative of the Pennsylvania State Police, who shall serve as a nonvoting member.</p>	<p><u>Voting</u> *PEMA Director (Chair) *PEMA 911 Director *State Police Commissioner *4-Senate & House Veterans Affairs & Emergency Preparedness Committee Chairs and Minority Chairs *1st Class County (Philly Mayor) *2nd Class County (Allegheny Executive) *2nd Class A County Commissioner *3rd-4th Class County Commissioner *5th-6th Class County Commissioner *7th-8th Class County Commissioner *1st Class County 911 Coordinator *2nd Class County 911 Coordinator *3rd-4th Class County 911 Coordinator *5th-6th Class County 911 Coordinator *7th-8th Class County 911 Coordinator</p> <p><u>Non-Voting</u> PA Chiefs of Police, Fraternal Order of Police, PA Emergency Health Services Council, PA Public Transportation Association, Association of Public-Safety Communication Officials, PA Chapter of the National Emergency Number Association, Keystone Emergency Management Association, Fireman’s Association State of PA, PA Wireless Association, PA Telephone Association, Broadband Cable Association of PA, PA Municipal League, PA State Association of Boroughs, PA State Association of Township Supervisors, PA State Association of Township Commissioners, member of the general public. Public Utility Commission, PennDOT, PTC, Fire Commissioner, State Treasurer, Game Commission, Fish & Boat Commission, DGS, OA, DOC, DHS, OAG, PCCD, DOH, DMVA</p>
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<p>Immunity</p>	<p>*No telephone company, wireless provider, vendor or agent, employee or director of a telephone company, providers of emergency notification services or providers of emergency support services shall be liable to any person who directly or indirectly uses the 911 emergency service or wireless E-911 emergency service established under this chapter or provides information to 911 systems or wireless E-911 systems with respect to the delivery of emergency services</p> <p>*A 911 system or a wireless E-911 system run by county and local governments shall be a local agency which shall enjoy local governmental immunity as provided under 42 Pa.C.S. Ch. 85 14 Subch. C (relating to actions against local parties).</p> <p>*Except as set forth in paragraph (3), a person specified in paragraph (1) is immune from liability for civil damages resulting from or caused by an act or omission in the development, design, installation, operation, maintenance, performance or provision of wireless E-911 service or 911 service</p>	<p>*No telephone company, wireless provider, vendor or agent, employee or director of a telephone company, providers of emergency notification services or providers of emergency support services shall be liable to any person who directly or indirectly uses the 911 emergency service or wireless E-911 emergency service established under this chapter or provides information to 911 systems with respect to the delivery of emergency services</p> <p>*A person, officer, director, employee, vendor or agent of the person that establishes, operates, enhances or maintains a 911 system or related communication service in this Commonwealth shall be immune from civil liability resulting from an act or omission in the design, installation, enhancement or operation of a 911 system or communication service related to 911, except in cases of willful or wanton misconduct.</p> <p>*Sovereign immunity reaffirmed.--No provision of this chapter shall constitute a waiver of sovereign immunity for the purpose of 1 Pa.C.S. § 2310 (relating to sovereign immunity reaffirmed; specific waiver) or 42 Pa.C.S. Ch. 85 Subch. C (relating to actions against local parties).</p> <p>(c) Specific immunity.-- (1) This subsection applies to the following:</p> <p>(i) Providers, prepaid wireless providers and sellers, other emergency communications service providers, 911 service providers, an entity that provides access to 911 communications service using next generation 911 technology, or a vendor, agent, employee, officer or director of a provider, other emergency</p>	<p>Same as HB 911</p>
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Immunity (continued)		<p>communications service provider, 911 service provider or entity that provides access to 911 communications service using next generation 911 technology, providers of emergency notification services or providers of emergency support services.</p> <p>*A person enumerated under paragraph (1) shall not be liable to any person who directly or indirectly uses the 911 communications service or wireless 911 service established under this chapter, accesses a 911 system or provides information to 911 systems with respect to the delivery of emergency services</p> <p>*A local exchange carrier, Internet service provider, manufacturer or provider of MLTS, MLTS manager, MLTS operator or 911 service provider shall not be liable for civil damages or penalties as a result of any act or omission, except willful or wanton misconduct, in connection with developing, adopting, operating or implementing any plan or system required under this chapter.</p>	
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