

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 911

Sponsor:

Printer's No. 1331

1 Amend Bill, page 4, lines 7 through 9, by striking out all of
2 said lines

3 Amend Bill, page 5, lines 18 through 22, by striking out all
4 of said lines

5 Amend Bill, page 6, line 6, by inserting after "orders"
6 or final rules

7 Amend Bill, page 6, line 10, by inserting after "service)"
8 , "Wireless E-911 Location Accuracy Requirements"
9 codified at 47 CFR Pt. 20 (relating to commercial mobile
10 services)

11 Amend Bill, page 8, line 12, by inserting after "area,"
12 including services

13 Amend Bill, page 8, line 12, by inserting after "to"
14 regulation by

15 Amend Bill, page 8, line 14, by striking out "where" and
16 inserting

17 that directs

18 Amend Bill, page 8, line 15, by striking out "is directed"

19 Amend Bill, page 8, line 17, by striking out "an attendant or
20 other designee" and inserting

21 a designated individual

22 Amend Bill, page 9, lines 12 through 15, by striking out all
23 of said lines

1 Amend Bill, page 9, lines 29 and 30; page 10, lines 1 and 2;
2 by striking out all of said lines on said pages

3 Amend Bill, page 10, line 7, by striking out "representative
4 of"

5 Amend Bill, page 11, line 9, by striking out "which provides
6 functional" and inserting
7 which:

8 (1) Provides functional

9 Amend Bill, page 11, line 12, by striking out "responses,
10 trains" and inserting

11 responses.

12 (2) Trains

13 Amend Bill, page 11, line 14, by striking out "requirements
14 and provides" and inserting

15 requirements.

16 (3) Provides

17 Amend Bill, page 13, lines 21 through 23, by striking out all
18 of said lines

19 Amend Bill, page 14, lines 12 and 13, by striking out
20 "residence." A facility such as a dormitory, hotel, motel or
21 health care or nursing home" and inserting

22 facility." A dormitory, hotel, motel, health care facility,
23 long-term care facility, nursing home or other facility as
24 determined by the agency

25 Amend Bill, page 14, line 14, by striking out "for transient"
26 and inserting

27 to temporary

28 Amend Bill, page 16, lines 6 through 12, by striking out all
29 of said lines

30 Amend Bill, page 19, by inserting between lines 18 and 19

31 (16) To develop, in consultation with the board, a

comprehensive plan for the implementation of a Statewide interoperable Internet protocol network using next generation 911 technology that coordinates the delivery of Federal, State, regional and local emergency services.

Amend Bill, page 19, line 19, by striking out "(16)" and inserting

(17)

Amend Bill, page 19, line 21, by striking out "(17)" and inserting

(18)

Amend Bill, page 20, lines 9 through 30; page 21, lines 1 through 30; page 22, line 1; by striking out "The following" in line 9, all of lines 10 through 30 on page 20, all of lines 1 through 30 on page 21 and all of line 1 on page 22 and inserting

The board shall be comprised of the following:

(1) The following State officials, who shall serve as voting members:

(i) The director of the agency, who shall act as chairperson.

(ii) The State 911 coordinator.

(iii) The Commissioner of the Pennsylvania State Police.

(iv) The chairman of the Veterans Affairs and Emergency Preparedness Committee of the Senate.

(v) The minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the Senate.

(vi) The chairman of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives.

(vii) The minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives.

(2) The following local officials, who shall serve as voting members:

(i) The mayor of a city of the first class.

(ii) A county commissioner of a county of the second class, or a home rule equivalent.

(iii) A county commissioner of a county of the second class A, or a home rule equivalent.

(iv) A county commissioner of a county of the third or fourth class, or its home rule equivalent.

(v) Two county commissioners of a county of the fifth, sixth, seventh or eighth class, or a home rule

1 equivalent.

2 (vi) The 911 coordinator of a city of the first
3 class.

4 (vii) The 911 coordinator of a county of the second
5 class.

6 (viii) The 911 coordinator of a county of the second
7 class A.

8 (ix) The 911 coordinator of a county of the third or
9 fourth class.

10 (x) Two 911 coordinators of a county of the fifth,
11 sixth, seventh or eighth class.

12 (3) A representative from the following State agencies,
13 who shall serve as nonvoting members, to be appointed by the
14 chief executive or administrative officer of each agency:

15 (i) The Pennsylvania Public Utility Commission.

16 (ii) The Office of the State Fire Commissioner.

17 (iii) The Treasury Department.

18 (iv) The Pennsylvania Game Commission.

19 (v) The Pennsylvania Fish and Boat Commission.

20 (vi) The Governor's Office of Administration.

21 (vii) The Department of Corrections.

22 (viii) The Department of Human Services.

23 (ix) The Office of Attorney General.

24 (x) The Pennsylvania Commission on Crime and
25 Delinquency.

26 (xi) The Department of Health.

27 (xii) The Department of Military and Veterans
28 Affairs.

29 (xiii) The Office of Consumer Advocate.

30 (4) A representative from the following Statewide
31 associations, who shall serve as nonvoting members:

32 (i) The Pennsylvania Chiefs of Police Association.

33 (ii) The Fraternal Order of Police.

34 (iii) The Pennsylvania Emergency Health Services
35 Council.

36 (iv) The Pennsylvania Public Transportation
37 Association.

38 (v) The Association of Public-Safety Communications
39 Officials.

40 (vi) The Pennsylvania Chapter of the National
41 Emergency Number Association.

42 (vii) The Keystone Emergency Management Association.

43 (viii) The Pennsylvania Professional Fire Fighters
44 Association.

45 (ix) The Firemen's Association of the State of
46 Pennsylvania.

47 (x) The Pennsylvania Wireless Association.

48 (xi) The Pennsylvania Telephone Association.

49 (xii) The Broadband Cable Association of
50 Pennsylvania.

51 (xiii) The Pennsylvania Municipal League.

1 (xiv) The Pennsylvania State Association of
2 Boroughs.

3 (xv) The Pennsylvania State Association of Township
4 Supervisors.

5 (xvi) The Pennsylvania State Association of Township
6 Commissioners.

7 (5) A member of the general public, who shall serve as a
8 nonvoting member.

9 (b.1) Designee.--A voting member of the board may appoint a
10 designee who must be an employee of the same agency or
11 organization as the voting member to attend meetings.

12 (b.2) Gubernatorial appointees.--The Governor shall appoint
13 the board members under subsection (b) (2), (4) and (5) upon the
14 recommendation of Statewide organizations and industry segments.
15 Recommendations for appointments of county officials under
16 subsection (b) (2) shall be requested by the Governor from the
17 County Commissioners Association of Pennsylvania and
18 recommendations for appointments of 911 coordinators under
19 subsection (b) (2) shall be requested by the Governor from the
20 State chapters of the National Emergency Number Association and
21 the Association of Public Communications Officials. The
22 following shall apply:

23 (1) Members appointed by the Governor are appointed to
24 terms of two years and may serve no more than three
25 consecutive terms.

26 (2) The Statewide organizations shall ensure that
27 nominees are sufficiently proficient in 911 policies,
28 operations and technologies and that the nominees provide a
29 diverse representation from the western, central and eastern
30 regions of this Commonwealth.

31 (3) The Governor shall make the initial appointments of
32 members under subsection (b) (2), (4) and (5) within 90 days
33 of the effective date of this paragraph. Initial terms for
34 members appointed by the Governor shall be divided between
35 one-year and two-year terms.

36 (4) The Governor may remove an appointed member of the
37 board for cause upon written notice to the board.

38 (5) A member's nonparticipation in three consecutive
39 board meetings may be considered cause for removal.

40 (b.3) Quorum.--Thirteen members of the board shall
41 constitute a quorum. When a quorum is present, three-fourths
42 consent of members present and voting is required for any action
43 of the board.

44 (b.4) Meetings.--The board shall meet at least once
45 quarterly and at

46 Amend Bill, page 22, line 5, by striking out all of said line
47 and inserting

48 (b.5) Compensation.--The members of the board shall serve
49 without

1 Amend Bill, page 23, line 1, by striking out "establish a
2 program of communication" and inserting
3 promote effective communication and information sharing

4 Amend Bill, page 23, line 2, by striking out "to share
5 information"

6 Amend Bill, page 23, line 5, by striking out "promote the
7 deployment of" and inserting
8 advise the agency on plans to deploy

9 Amend Bill, page 25, lines 8 through 10, by striking out ".
10 The" in line 8, all of line 9 and "agency and board and shall
11 develop" in line 10 and inserting
12 who shall develop and submit

13 Amend Bill, page 27, line 1, by striking out the bracket
14 before "(9)"

15 Amend Bill, page 27, line 3, by inserting a bracket before
16 "(b)"

17 Amend Bill, page 27, by inserting between lines 25 and 26

18 (d) Certain cities of the third class.--

19 (1) Beginning on the effective date of this subsection
20 and for four years thereafter, a pro rata share of funds
21 provided to a county with a city of the third class with a
22 population of more than 60,000 but less than 80,000 located
23 within its boundaries shall be distributed by the county to
24 the city of the third class. Distribution shall be based on
25 the entire population of the city, whether or not portions of
26 the city are located in another county.

27 (2) Beginning on the effective date of this subsection
28 and for four years thereafter, a pro rata share of funds
29 provided to a county with a city of the third class with a
30 population of more than 105,000 but less than 110,000 located
31 within its boundaries shall be distributed by the county to
32 the city of the third class.

33 Amend Bill, page 29, line 8, by inserting a bracket before
34 "drafted"

35 Amend Bill, page 29, line 8, by inserting after "meeting"

1] adopted that meets
2 Amend Bill, page 29, line 12, by inserting a bracket before
3 "the"

4 Amend Bill, page 29, line 12, by inserting after "agencies"
5] public agency
6 Amend Bill, page 29, line 13, by striking out the bracket
7 before the period after "system"

8 Amend Bill, page 29, line 13, by striking out "] and" and
9 inserting
10 The plan
11 Amend Bill, page 29, line 14, by striking out "by" and
12 inserting
13 from
14 Amend Bill, page 29, lines 14 and 15, by striking out "of
15 technology and voluntary PSAP consolidation. The 911 system
16 plan" and inserting
17 and consolidation, and
18 Amend Bill, page 29, line 16, by striking out "and plan for"
19 Amend Bill, page 35, line 19, by striking out "75%" and
20 inserting
21 80%
22 Amend Bill, page 35, line 21, by inserting after "board"
23 of which at least 30% shall solely be based on
24 population
25 Amend Bill, page 35, lines 22 through 27, by striking out all
26 of lines 22 through 26 and "(3)" in line 27 and inserting
27 (2)
28 Amend Bill, page 35, line 27, by striking out "6%" and
29 inserting
30 15%

1 Amend Bill, page 35, line 27, by inserting after "used "

2 by the agency

3 Amend Bill, page 36, line 2, by striking out "(4) Five" and
4 inserting

5 (3) Three

6 Amend Bill, page 36, line 5, by inserting after "allocation"

7 to a county

8 Amend Bill, page 36, line 7, by striking out "(5)" and
9 inserting

10 (4)

11 Amend Bill, page 36, line 11, by inserting after "(1)."

12 Audits conducted by the agency under this section shall
13 be funded from amounts retained under this paragraph.

14 Amend Bill, page 36, lines 27 and 28, by striking out ",
15 including high or low population density" and inserting

16 and population density

17 Amend Bill, page 37, line 15, by inserting after "costs "

18 of the 911 system

19 Amend Bill, page 37, line 17, by inserting after "reserves"

20 , if approved by the agency

21 Amend Bill, page 37, line 21, by striking out "(d)" and
22 inserting

23 (d) (1) and (3)

24 Amend Bill, page 38, by inserting between lines 27 and 28

25 (h) County action required.--A county shall not be eligible
26 to receive funds under this section unless the governing body of
27 the county adopts a resolution authorizing acceptance of the
28 funds. The county shall provide public notice of the intent to
29 adopt the resolution. A copy of the resolution shall be provided
30 to the agency.

31 Amend Bill, page 38, line 28, by striking out "(h)" and
32 inserting

33 (i)

1 Amend Bill, page 39, lines 6 and 7, by striking out "The cost
2 of each audit shall be" in line 6 and all of line 7

3 Amend Bill, page 39, line 10, by inserting after "\$1.65"
4 per month

5 Amend Bill, page 39, line 22, by inserting after "fund."
6 The Treasurer may retain up to 1% of the remitted
7 surcharge to pay expenses directly related to the cost of
8 collection.

9 Amend Bill, page 42, line 28, by inserting after "network."
10 Each VoIP provider or telecommunications carrier shall
11 collect the monthly subscriber fee for each telephone number
12 or successor dialing protocol assignee by a VoIP provider to
13 a VoIP service customer who has outbound calling capability.

14 Amend Bill, page 45, line 12, by striking out "effected" and
15 inserting
16 conducted

17 Amend Bill, page 45, line 14, by striking out ", and any" and
18 inserting
19 . Any

20 Amend Bill, page 45, line 17, by striking out "for the
21 purposes of" and inserting
22 under

23 Amend Bill, page 45, line 26, by striking out "consumers" and
24 inserting
25 a consumer

26 Amend Bill, page 46, line 10, by inserting a comma after
27 "costs"

28 Amend Bill, page 46, line 19, by striking out "pertinent"

29 Amend Bill, page 46, line 20, by striking out all of said
30 line

31 Amend Bill, page 47, line 20, by striking out "2%" and

1 inserting
2 1%
3 Amend Bill, page 47, line 24, by striking out "5311.1,"
4 Amend Bill, page 50, line 7, by inserting a bracket before
5 the comma after "services"
6 Amend Bill, page 50, line 8, by inserting a bracket after
7 "(c) "
8 Amend Bill, page 50, line 11, by inserting a bracket before
9 "or" where it occurs the first time
10 Amend Bill, page 50, line 12, by inserting a bracket after
11 "(c) "
12 Amend Bill, page 50, line 18, by inserting a bracket before
13 "(c) "
14 Amend Bill, page 51, line 20, by inserting a bracket after
15 "interruptions."
16 Amend Bill, page 51, line 29, by striking out "successor
17 service" and inserting
18 future technology providing the same or similar
19 functionality
20 Amend Bill, page 52, line 2, by striking out "successor
21 service" and inserting
22 future technology providing the same or similar
23 functionality
24 Amend Bill, page 52, line 7, by striking out "successor
25 service" and inserting
26 future technology providing the same or similar
27 functionality
28 Amend Bill, page 52, line 11, by striking out the bracket
29 before "A" and inserting

1 (a) Local government.--

2 Amend Bill, page 52, lines 14 through 30; page 53, lines 1
3 through 30; page 54, lines 1 through 20; by striking out the
4 bracket in line 14, all of lines 15 through 30 on page 52, all
5 of lines 1 through 30 on page 53 and all of lines 1 through 20
6 on page 54 and inserting

7 (b) Entities.--The following shall not be liable for an act
8 or omission to a person who directly or indirectly uses a 911
9 emergency service or provides information to 911 systems under
10 this section except for willful or wanton misconduct:

11 (1) A 911 system.

12 (2) A 911 service provider.

13 (3) A provider or communication service provider,
14 including a provider of Next Generation 911 technology.

15 (4) An officer, director, employee, vendor or agent of
16 an entity listed under paragraphs (1), (2) and (3).

17 (c) Applicability.--The immunity under subsection (b) shall
18 apply to the following:

19 (1) The release to PSAPs, providers of emergency
20 notification services or providers of emergency support
21 services of information authorized under this chapter,
22 including nonpublished telephone numbers.

23 (2) The release to the Federal Communications
24 Commission, the commission, the board or any Federal or
25 Commonwealth agency with the authority to regulate the
26 provision of telecommunications services of telephone company
27 information specified in this section that is not already
28 part of public records, including information regarding the
29 number of liens served by an individual company, except for
30 nonpublic information regarding the company's individual
31 customer names, addresses and telephone numbers.

32 (3) Interruptions, omissions, defects, errors, mistakes
33 or delays in transmission occurring in the course of the
34 delivery of 911 emergency services and other emergency
35 services, including next generation 911 services under this
36 chapter, unless the interruptions, omissions, defects,
37 errors, mistakes or delays are caused by the willful or
38 wanton misconduct of a person listed under subsection (b).

39 (4) Any other matter relating to the provision of 911
40 communications service or a 911 system.

41 Amend Bill, page 83, line 25, by striking out "Master Street
42 Address Guide" and inserting

43 master street address guide

44 Amend Bill, page 86, line 14, by inserting a bracket before

1 "Next"

2 Amend Bill, page 86, line 14, by inserting after "911"

3 1 next generation 911 services and technologies

4 Amend Bill, page 86, line 27, by striking out "SECTIONS" and
5 inserting

6 a section

7 Amend Bill, page 87, line 1, by inserting after "agency"

8 in consultation with the board

9 Amend Bill, page 87, lines 4 and 5, by striking out "the
10 structure and adequacy of" in line 4 and all of line 5 and
11 inserting

12 :

13 (1) the structure and adequacy of the surcharge and fund
14 provided for under this chapter;

15 (2) other local revenue options to support 911 services;
16 and

17 (3) any benefits that could be derived from dispatching all
18 911 calls from county PSAPs.

19 Amend Bill, page 87, line 9, by inserting after "PSAP'S"

20 and each Pennsylvania State Police barracks' that has a
21 remote dispatch point

22 Amend Bill, page 87, lines 13 through 18, by striking out "
23 AND TO DEVELOP A COMPREHENSIVE STATE PLAN" in line 13, all of
24 lines 14 through 17 and "SERVICES" in line 18

25 Amend Bill, page 87, line 22, by inserting after "PSAP"

26 and each Pennsylvania State Police barracks that has a
27 remote dispatch point

28 Amend Bill, page 87, line 25, by inserting after "911"

29 and each Pennsylvania State Police barracks that has a
30 remote dispatch point

31 Amend Bill, page 88, line 5, by inserting after "PSAP"

32 and each Pennsylvania State Police barracks that has a
33 remote dispatch point

34 Amend Bill, page 88, line 6, by striking out "PSAP EASE OF

1 ABILITY" and inserting
2 The agency's assessment of the ability of PSAPs and each
3 Pennsylvania State Police barracks that has a remote dispatch
4 point
5 Amend Bill, page 88, lines 7 and 8, by striking out "OR
6 CONNECT DIRECTLY TO PA STARNET OR SUBSEQUENT MICROWAVE NETWORK"
7 Amend Bill, page 88, line 10, by striking out "SUPPLYING ALL
8 OF" and inserting
9 providing
10 Amend Bill, page 88, lines 12 and 13, by striking out "A
11 COMPREHENSIVE INVENTORY OF ALL PSAPS OPERATING 911 SYSTEMS
12 WITHIN THIS COMMONWEALTH" and inserting
13 an inventory as required under subsection (a)
14 Amend Bill, page 88, line 14, by striking out "REMIT" and
15 inserting
16 provide
17 Amend Bill, page 88, lines 15 and 16, by striking out "RESULT
18 IN THE IMMEDIATE SUSPENSION OR FORFEITURE OF" and inserting
19 be suspended from any grant or funding program or be
20 required to forfeit
21 Amend Bill, page 88, line 20, by striking out "OCTOBER" and
22 inserting
23 December
24 Amend Bill, page 89, line 1, by inserting after "5303(B)"
25 , (b.1), (b.2), (b.3), (b.4) and (b.5)