

## Veto No. 2004-4

HB 2758

July 21, 2004

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I am returning herewith, without my approval, House Bill 2758, Printer's No.4224, entitled "An act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for fire company reduction and closure provisions for cities of the first class."

House Bill 2758 imposes certain requirements upon the City of Philadelphia before the City can reduce or eliminate any ladder or engine fire company. The bill requires that the City provide written notice to all firefighters and paramedics assigned to the affected company and their respective labor organizations as well as all citizens served by the affected company. Under the bill the City would also have to commission a study of the proposed reduction or elimination. The study would have to include projected cost savings and an analysis of the impact on emergency response time, delivery of services to the public, homeowner fire insurance premium coverage implications and the safety of firefighters, paramedics and citizens. The City is then required to hold a public hearing on the results of the study.

During my tenure as Mayor of Philadelphia, in 1992 I reopened firehouses that my predecessor had ordered closed. I did so because our cost benefit analysis conducted in the context of the overall City budget established that at that time the benefits to public safety outweighed the potential cost savings. Those are the types of analyses and decisions that the elected officials of the City must make as an essential part of their job. House Bill 2758 usurps this vitally important management prerogative of the elected executive and council members of the largest city in our Commonwealth.

Put simply, House Bill 2758 impinges upon the City's ability to manage its fiscal affairs and to govern its budget. The restrictions in this bill interfere with the City's fiscal management when deciding the necessary level of services offered to the public in relation to the burden that such services have on the municipal tax base. The restrictions may also implicate labor management issues. Moreover, the requirements of House Bill 2758 apply only to the City of Philadelphia; the bill does not address or constrain other municipalities' actions with respect to fire protection services. There is simply no rational distinction for applying these restrictions to only one of our thousands of municipalities. The Commonwealth should not be involved in managing municipal fiscal decisions to this degree.

When contemplating my decision as to House Bill 2758, I received an unsolicited letter from Fire Commissioner Ed Mann and PEMA Director Dave Sanko. Their logic was very persuasive and I am incorporating that letter in this message.

For these reasons, I must withhold my signature from House Bill 2758,  
Printer's No.4224.

EDWARD G. RENDELL