

COMMONWEALTH OF PENNSYLVANIA

HOUSE OF REPRESENTATIVES

HOUSE GAMING OVERSIGHT COMMITTEE

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PUBLIC HEARING IN RE: HOUSE BILL 243 (MCCALL)

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BEFORE: DANTE SANTORI, Chairman
Brian Barbin, Michael Reese, Kevin Murphy,
Members

HEARING: Thursday, August 20, 2009
Commencing at 10:15 a.m.

LOCATION: Richland Fire Company Social Hall
1321 Scalp Avenue
Johnstown, PA 15904

WITNESSES: Thomas Callahan, Ted Partsch,
Jason Ober, Robert Heffelfinger

Reporter: Barbara J. Jones

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CHAIRMAN:

Good morning, everyone. Welcome to the House Gaming Oversight Committee on House Bill 243. My name is Representative Dante Santoni, and I'm the Chairman of the House Gaming Oversight Committee. I'm from Berks County, Reading Pennsylvania. And Representative Barbin has been diligent in bringing the committee here to Johnstown, his legislative district, to hear some of the concerns as we as a committee are taking a look at. So I want to commend Representative Barbin for his diligence on this issue. And before I allow Representative Barbin to make a statement, I would like to have the members introduce themselves and where they are from, starting at my far right.

REPRESENTATIVE MURPHY:

Good morning, everyone. My name is Representative Kevin Murphy. I represent the Scranton and Lackawanna County. I am not officially a member of the Gaming Oversight Committee, but I am here to witness testimony today with regard to House Bill 243. And I'm very happy to be here. So I'm basically here to listen. Thank you very much.

1 REPRESENTATIVE REESE:

2 Good morning. I'm Mike Reese, and I
3 represent Westmoreland and Fayette County. I
4 represent the eastern most portion of Westmoreland
5 County, basically from Seward the whole way down 711
6 into Fayette County. And I am on the Gaming
7 Committee.

8 REPRESENTATIVE BARBIN:

9 I'm Representative Bryan Barbin, and I
10 represent the 71st District. That includes the City
11 of Johnstown, Conemaugh, West Hills and the East
12 Hills.

13 CHAIRMAN:

14 Thank you. I would now like to allow
15 Representative Barbin to make a statement and then
16 we'll start hearing the testimony. Brian?

17 REPRESENTATIVE BARBIN:

18 Thank you. I appreciate the fact that we
19 have the chiefs from --- Chief Partsch from Cover Hill
20 and Mr. Steve Unger from Conemaugh, Tom Callahan from
21 Oakland, and Jason Ober who was just called out from
22 the Richland Fire Company. Mr. Murphy is very
23 involved in volunteer fire activities. Yesterday, we
24 passed a bill in Harrisburg to require insurance
25 companies to cover cancer-related illnesses that occur

1 with volunteer firemen. So he's very involved in our
2 issues. Mike's been very involved with the volunteer
3 fire issues.

4 And one of the reasons we have the bill
5 today, I cosponsored this with our speaker, Keith
6 McCall, who's also very involved with the volunteer
7 firemen. I saw a problem for the volunteer fire
8 companies because of the enforcement issues that were
9 occurring as it related to fund-raising activities for
10 the fire companies. I went to the Speaker and said
11 one way that we could maybe avoid some of these
12 problems is to specifically set out in the law the
13 fact that Texas Hold'em tournaments held not more than
14 four times a year would be specifically excluded under
15 small games of chance.

16 Now, I did that for two reasons. I went
17 to him and we worked on this bill together. The first
18 reason was we're --- we have gaming in Pennsylvania,
19 and this is the committee that Chairman Santoni
20 oversees. But we made a determination that gaming is
21 acceptable for the Commonwealth. And if it's
22 acceptable for the casino owners to have the right to
23 raise funds that way, I believe, and I think the
24 Speaker believes, that we should have that opportunity
25 as a community to support the community organizations

1 that are holding our areas together the most.

2 And for those I look to the volunteer
3 fire company. So it was a fund-raising option. We're
4 also here to look at testimony from people who have
5 experience what the problems are in retaining young
6 volunteer firefighters. As budgets get squeezed, more
7 time has to be spent on fund-raising and that has a
8 negative effect on young --- retaining younger
9 volunteers. So those are the issues we're concerned
10 with; revenue sources from volunteer fire company,
11 liquor control enforcement issues, and retention of
12 young volunteer firefighters. So with that ---.

13 CHAIRMAN:

14 Thank you, Representative Barbin. Is
15 Jason called ---?

16 REPRESENTATIVE BARBIN:

17 Yeah. Jason is on a call at the moment,
18 so we'd like to start with Chief Callahan.

19 CHAIRMAN:

20 Thomas Callahan, Chief of the Oakland
21 Fire Company. Chief, you can start at you leisure.

22 CHIEF CALLAHAN:

23 Thank you. The Oakland Volunteer Fire
24 Company is not unlike those across the Commonwealth.
25 We're an average to small department that provides

1 fire protection to over 1,600 homes and a dozen or so
2 businesses. With our size comes the increasingly
3 difficult task of fire department economics. As the
4 state knows, so does the local base. Being an older
5 community with a population of retirees, we've enjoyed
6 modest success in the past keeping our budget in the
7 black and being able to purchase suitable and
8 necessary equipment.

9 CHAIRMAN:

10 Excuse me, Chief, could you ---?

11 CHIEF CALLAHAN:

12 Yes, sir.

13 CHAIRMAN:

14 I think your mic's off. Could you
15 just --- maybe you could flip the switch on the side?
16 There you go.

17 CHIEF CALLAHAN:

18 There we go.

19 CHAIRMAN:

20 It works a little better.

21 CHIEF CALLAHAN:

22 Why don't I start over again.

23 CHAIRMAN:

24 No. You don't have to start over.

25 CHIEF CALLAHAN:

1 As the economy has taken a freefall, so
2 has our percentage of budget that's derived from
3 donations. Our budget is overwhelmed by utility and
4 insurance costs. And if we're to believe what is
5 being reported, it will increase substantially in the
6 near future. We've taken steps to ensure that the
7 Oakland Volunteer Fire Company remains an active force
8 in our community and has joined together in a
9 partnership with the Lorraine Volunteer Fire Company
10 who now shares our building. By partnering with
11 Lorraine, we are able to share utility costs and major
12 building renovations and repairs.

13 This step has helped us remain well-
14 staffed and well-equipped. The future, though, holds
15 no promise for this. We thrived in the past on grants
16 of all kinds. From the Department of Homeland
17 Security to the State of Pennsylvania, we've been able
18 to purchase and pay down some of our larger equipment
19 needs such as a new pumper, which cost over \$400,000.
20 While those grants have given us temporary reprieve
21 from the costs associated with the equipment
22 purchases, we know that these programs are not going
23 to last forever. DHS grants have been reduced year
24 after year, and the phone-in mechanism is set to
25 expire next year.

1 The state grants which have been a
2 godsend --- thank you, guys --- are set to expire, I
3 believe, in the year 2012. We hope that with the
4 leadership of Mr. Barbin and everyone present, we'll
5 be able to continue this fine grant program. Stipends
6 from our local government are at a stand-still as fire
7 department funding takes a backseat to other projects,
8 including costly water and sewer fixes. We are never
9 assured of getting what we truly need to keep going.
10 This brings us to our fund-raisers.

11 As families disposable income continues
12 to stretch, the donations to local fire fighters
13 follow the line. If you take a good look around you,
14 you can see that every organization has this problem.
15 At any given time, I myself have ten or more tickets
16 on my refrigerator that I've purchased to help these
17 organizations stay afloat. Little League baseball,
18 Mom's House, the local fire department; we're all
19 selling tickets. This flow of raffles has helped many
20 of the community agencies, but it's taken away from
21 each individual fire department.

22 With a committed revenue stream, the fire
23 department, such as Texas Hold'em, I can see that my
24 department and many like us will be able to continue
25 to meet the needs for our communities. I can tell you

1 that I just returned home from my 35th trip to Las
2 Vegas and countless other trips to Atlantic City; I
3 just made both of those this summer. And every time
4 we go to Las Vegas or go to Atlantic City, that money
5 is lost to the State of Pennsylvania. Not just so
6 much the gambling money, but the travel money, the
7 food money, everything that we spend.

8 And I'd like to be able to keep some of
9 that money in this area, which the gambling committee
10 has done a fine job in starting with. But by working
11 with local volunteer fire departments to have Texas
12 Hold'em, you're going to see a lot of people not
13 making that trip. My experience with Texas Hold'em is
14 pretty vast. My department was one that in the past
15 was able to do that before we were told to cease and
16 desist. And we had people from other states coming in
17 to the local fire department to work with us on this.
18 We were well-run. We were run from a committee
19 within. We had no outside help whatsoever.

20 So no organizations came in to run it for
21 us; our fire fighters did. We were fortunate to get
22 together with a group of people which included ten
23 dealers now who work for the World Series of Poker.
24 So it was a well-run event for us, and it was a good
25 money maker. We recently had to cancel our jubilee

1 which we've held for the past 50 or 60 years, I would
2 say. Yeah, 50 or 60 years because the last three
3 years after seven days of work on the grounds,
4 countless months of preparation, we made a grand total
5 of \$1,200. And it just doesn't do it when you're
6 trying to purchase fire equipment that's \$400,000 and
7 our payments far exceed that. So we've had to look at
8 other streams of revenue and, you know, we're working
9 at doing that. But Texas Hold'em would truly bring
10 back a lot of funding that we need to serve our
11 community.

12 CHAIRMAN:

13 Questions? Does anyone have any
14 questions? Kevin, do you have any questions?

15 REPRESENTATIVE MURPHY:

16 What type of revenue, if you don't mind,
17 did you generate previously in these Texas Hold'em
18 tournaments, and how does that impact your need for
19 state funding?

20 CHIEF CALLAHAN:

21 Our Texas Hold'em; we had it for about a
22 year before the board decided to have it ceased; we
23 were warned about it. It generated \$30,000. I think
24 we had more than the four tournaments. And we ran
25 them every weekend, but it wasn't a big tournament.

1 It was just we'd pay a large sum for letting us play.
2 So we raised about \$30,000 the first year. You know,
3 the state grants, as great as they are, don't get me
4 wrong --- we pay our engines with it and we get a lot
5 of great equipment. We get about \$11,000 from it. So
6 we raised three times the amount that the state gives
7 us to one day of Texas Hold'em.

8 CHAIRMAN:

9 Thank you. Mike, go ahead.

10 REPRESENTATIVE REESE:

11 Thank you, Mr. Chairman. A couple
12 questions. Whenever you were running your
13 tournaments, did you have any issues with the people
14 that came and actually played? Were there any ---
15 were there any issues that came from the tournament?

16 CHIEF CALLAHAN:

17 Security issues or ---?

18 REPRESENTATIVE REESE:

19 Yes.

20 CHIEF CALLAHAN:

21 I'll tell you what; if you came to one of
22 our games, without mentioning any names, you would
23 probably see a who's who in Western Pennsylvania
24 including politicians, police, doctors, lawyers. We
25 ran for one year without a single problem. We allowed

1 no alcohol in the building, no alcohol consumption
2 beforehand. Everyone was checked at the door. And I
3 am surprised to say I never had to turn one person
4 down.

5 REPRESENTATIVE REESE:

6 So your event was alcohol free?

7 CHIEF CALLAHAN:

8 Oh yes. Yes.

9 REPRESENTATIVE REESE:

10 Okay. Let me ask you this. I mean,
11 because I certainly have an appreciation for the fact
12 that volunteers not only volunteer their time whenever
13 that call comes in, but obviously a lot of training is
14 now required before you're ever allowed on that truck.
15 So that takes a lot of time away from their families
16 and their children, and that's a sacrifice. But, you
17 know, where I'm from in Mount Pleasant Township, you
18 know, I go through and twice, three times a week, I
19 see firemen selling hoagies. Do you sell hoagies? Do
20 you do those kinds of activities?

21 CHIEF CALLAHAN:

22 We work the Johnstown Thunder in the
23 Valley event, which takes countless man hours. We
24 have turkey raffles, we sell tickets. Up until now,
25 we do a cash bash. So yeah, my guys probably average

1 about 80 to 90 per year of fund-raising. When you
2 look at a department such as mine, it probably runs
3 about 200, 250 calls a year. We spend more time
4 fundraising by far than we do out in the streets.

5 REPRESENTATIVE REESE:

6 Is that right?

7 CHIEF CALLAHAN:

8 Yeah.

9 REPRESENTATIVE REESE:

10 Wow. So with that in mind, knowing that
11 the average volunteer spends 80, 90 days volunteering
12 to raise money so that they can serve their community,
13 how much money did you, if you don't --- if I can ask,
14 how much did you raise? With all those other
15 activities combined, what was your total net?

16 CHIEF CALLAHAN:

17 It was probably \$20,000 to \$30,000 at
18 least.

19 REPRESENTATIVE REESE:

20 Okay. \$20,000 to \$30,000 for that many
21 man hours of volunteering?

22 CHIEF CALLAHAN:

23 Yes, yeah. Your average ticket sale will
24 hopefully bring in \$2,000, and our Thunder in the
25 Valley is our biggest event where we raise about

1 \$15,000. When we have our turkey raffle, we do every
2 year about \$4,000. And so those are events that take
3 tons of planning.

4 REPRESENTATIVE REESE:

5 Which is a lot of time?

6 CHIEF CALLAHAN:

7 Oh yeah.

8 REPRESENTATIVE REESE:

9 And I know that you don't have these
10 exact numbers, so I'm not trying to narrow you down to
11 exact numbers. But you said that you raised the one
12 year \$30,000 with the Texas Hold'em tournament.

13 CHIEF CALLAHAN:

14 Yes.

15 REPRESENTATIVE REESE:

16 Roughly how many man hours did you put
17 into those?

18 CHIEF CALLAHAN:

19 We put in probably per weekend about six
20 to eight man hours. Texas Hold'em can be run with
21 about two people.

22 REPRESENTATIVE REESE:

23 Two people?

24 CHIEF CALLAHAN:

25 Yeah.

1 REPRESENTATIVE REESE:

2 So obviously a lot less time?

3 CHIEF CALLAHAN:

4 Yeah. yeah.

5 REPRESENTATIVE REESE:

6 Okay.

7 CHIEF CALLAHAN:

8 We actually had people at our station who
9 volunteer, and they're all members who volunteer to
10 volunteer to work our Texas Hold'em who were not big
11 run makers. You know, when we sell a ticket, everyone
12 has to sell a ticket. So everyone's out in the
13 community, everyone's got to be at the event where the
14 ticket goes out. It takes a lot of people to run.
15 Texas Hold'em, basically two guys. One being my
16 brother who is a Texas Hold'em addict. You know, one
17 guy to make sure everything is running okay, and one
18 person to make sure the chips are okay and that
19 everyone has what they need. That was basically it.
20 Each table had their dealer. Like I said, ten of our
21 dealers actually dealt at the last five World Series
22 of Poker, so --- as pre-qualified guests.

23 REPRESENTATIVE REESE:

24 Okay. Thank you.

25 CHAIRMAN:

1 Thank you.

2 REPRESENTATIVE REESE:

3 Thank you, Mr. Chairman.

4 CHAIRMAN:

5 Representative Barbin.

6 REPRESENTATIVE BARBIN:

7 Thank you, Chief Callahan, for being
8 here, and we appreciate you being willing to kind of
9 give us some insight as to how this bill could be
10 improved. And, you know, our purpose is that we know
11 that on a statewide basis that \$6 billion dollars of
12 services are provided through the volunteer fire
13 companies. And we also know that because the budgets
14 are limited at the municipal levels, your funding for
15 the volunteer fire company is not likely to be fully
16 met from your local boroughs.

17 CHIEF CALLAHAN:

18 Correct.

19 REPRESENTATIVE BARBIN:

20 So I think what we're most interested in
21 is --- or what I'm most interested in is --- how would
22 these Texas Hold'em contests help you with your fixed
23 overhead expenses? Like you're running a merged fire
24 department, you and Lorraine Borough.

25 CHIEF CALLAHAN:

1 Yeah.

2 REPRESENTATIVE BARBIN:

3 How would that --- how would it help?

4 CHIEF CALLAHAN:

5 Well, I can tell you that with our
6 government's donation to the fire department does not
7 cover our insurance costs, just basic insurance for
8 us.

9 REPRESENTATIVE BARBIN:

10 What is insurance? What is the
11 insurance?

12 CHIEF CALLAHAN:

13 That would be the insurance on all of the
14 engines, the building itself. You have the men.

15 REPRESENTATIVE BARBIN:

16 And how many people do you have in your
17 department with both departments?

18 CHIEF CALLAHAN:

19 Oakland has about 22 active firefighters,
20 and 45 to 50 active members. Lorraine probably comes
21 up with about 15.

22 REPRESENTATIVE BARBIN:

23 Okay. So you got about 75 people. And
24 what's the total insurance bill for ---?

25 CHIEF CALLAHAN:

1 Probably about \$8,000.

2 CHIEF NELSON:

3 I'm Roy Nelson, Deputy Fire Chief person.
4 Before the premiums on vehicles, infrastructure,
5 building and medical, it comes to probably \$12,800 a
6 year.

7 REPRESENTATIVE BARBIN:

8 Thank you. How would you suggest
9 that --- you know, you've seen House Bill 243. Do you
10 believe that the entry fee is appropriate, should that
11 be a little larger? What would be your suggestions to
12 the mechanics of the bill?

13 CHIEF CALLAHAN:

14 I probably played at a lot of Texas
15 Hold'em tournaments. The entry fee is pretty much the
16 standard for most places that you go. And if you go
17 around the state, you can always find a game
18 somewhere. Not every town uses or enforces it; it's
19 usually the larger ones. And so \$100 is pretty much.
20 As far as the tournaments go, we'd always like to see
21 that; you know?

22 REPRESENTATIVE BARBIN:

23 If it was \$130, do you think that would
24 be too high for an entry?

25 CHIEF CALLAHAN:

1 I think most people would put \$100 down
2 for it. At a table instead of four, maybe six or ---
3 you know.

4 REPRESENTATIVE BARBIN:

5 How many people could be held --- how
6 many people could you hold --- if you had a
7 tournament, how many people could you have in the fire
8 hall itself in one of these types of tournaments?

9 CHIEF CALLAHAN:

10 We can hold about 200.

11 REPRESENTATIVE BARBIN:

12 Okay. So you could have potentially
13 \$20,000 as the gross amount of money?

14 CHIEF CALLAHAN:

15 Right.

16 REPRESENTATIVE BARBIN:

17 If you paid the --- I think it was 60
18 percent was the number we used that had to be --- you
19 could keep 60 percent of the entry fees. Would that
20 provide enough money from your experience, the other
21 40 percent for the pay out for the tournament itself?

22 CHIEF CALLAHAN:

23 Yes.

24 REPRESENTATIVE BARBIN:

25 Okay. So you could theoretically make

1 \$12,000 on a tournament?

2 CHIEF CALLAHAN:

3 Theoretically we could, yeah.

4 REPRESENTATIVE BARBIN:

5 And you have other expenses. So maybe
6 \$10,000 at a --- if you could have 200 people?

7 CHIEF CALLAHAN:

8 Correct.

9 REPRESENTATIVE BARBIN:

10 Okay. Do you think it makes sense to
11 have a special license for the, you know --- should
12 this be done in the context of you have a special
13 provision in the Small Games of Chance Bill?

14 CHIEF CALLAHAN:

15 I think as far as it goes on the state,
16 you would have to have some sort of license to run
17 this. You know, the problem in Pennsylvania came
18 about not when the volunteer fire departments ran it
19 themselves; when outside entities came in to run it
20 for the volunteer fire departments. And that's where
21 it got kind of sketchy for everybody. So if you have
22 a license that your fire department holds and you run
23 the Texas Hold'em on your own without outside entities
24 coming in, without fundraisers coming to run them for
25 you and taking a percentage, I think that's going to

1 keep everybody honest, it's going to keep the books
2 right. And with a license, the state's going to have
3 a record who's doing it, who's doing it well. And if
4 someone is not doing it well, we'd be able to punish
5 the volunteer fire departments, and they would be able
6 to follow up with all that. So we have no problems
7 with the licensure.

8 REPRESENTATIVE BARBIN:

9 Would this bill help you retain the
10 younger volunteers that are coming in, too?

11 CHIEF CALLAHAN:

12 Well, if you tell a guy we're going to go
13 out and sell subs, or you tell a guy hey, you don't
14 have to sell subs, you can go out and ride a dirt
15 bike, they're going to choose to ride a dirt bike.
16 And when you start with those guys on the fund-raising
17 aspect of it, a lot of them feel uncomfortable coming
18 to the fire department. Let's face it, not everyone
19 wants to raise money every day. These guys work hard,
20 sometimes two and three jobs. They work long hours.
21 So they're not going to come for the fund-raising
22 part.

23 And that really has an effect. There are
24 good guys who want to come and volunteer for our
25 departments. But a lot of them feel that they're not

1 a fundraising department. They don't feel like they
2 should come around and be part of the fire house. And
3 they're not --- so, you know ---. And so that's one
4 of the things that really hurts us is just the
5 retention of volunteers. I know a department will get
6 called out for a standby station when another
7 department's out on a fire, and they move the next
8 department up that's full, we can't go if we have
9 bingo. It's a sad but true fact, you know, because
10 unfortunately there's talk about fire departments, and
11 you know, volunteers are professional in what we do.
12 But it is a business, and without the funds to ride,
13 the firefighters can't exist. So sometimes
14 fundraisers have to take a front seat because it's
15 everything we do.

16 REPRESENTATIVE BARBIN:

17 Thank you.

18 CHAIRMAN:

19 Excuse me. I just have a couple
20 questions. You said you were running it for about a
21 year.

22 CHIEF CALLAHAN:

23 Uh-huh (yes).

24 CHAIRMAN:

25 And then you were told to cease and

1 desist.

2 CHIEF CALLAHAN:

3 Yes.

4 CHAIRMAN:

5 The District Attorney put an order out
6 and just said, hey, guys, this is crossing the line
7 or ---?

8 CHIEF CALLAHAN:

9 We had heard through the grapevine that,
10 you know, that the state was going to start cracking
11 down. No one really knew the rules back then. This
12 was three or four years ago, actually. No one really
13 knew what the rules were. We had actually saw a major
14 group from this area and a law enforcement group have
15 a Texas Hold'em. So we decided, well, if they can do
16 it, you know, we can do it. So we saw nothing wrong
17 with it. And when you read the state law right
18 now --- the guys from Seward can probably attest to
19 this --- it's kind of, you know, different. And we
20 had researched other states in what they were doing.
21 So we thought it was okay to do it. So we went and
22 pulled the requirements that were necessary and
23 trained our guys, and they provided the ---.

24 CHAIRMAN:

25 The other --- I don't know if you have an

1 opinion on this. I've been Chairman of the Gaming
2 Oversight Committee now for --- since the beginning of
3 the year, and we've dealt with a number of different
4 issues, of course, related to gaming like video
5 lottery and the table games issues. And it seems
6 every time people see gaming revenues, everybody wants
7 a piece of the pie. My question I guess is, if other
8 organizations are interested in having these
9 tournaments --- say, for instance, church groups and
10 things like that --- how would you feel? Do you think
11 that would hurt you in running them, it would knock
12 down your numbers?

13 CHIEF CALLAHAN:

14 It definitely would.

15 CHAIRMAN:

16 All right.

17 CHIEF CALLAHAN:

18 If you look at bingo, my department ran
19 bingo for 70 years or more, and bingo was a fire
20 department thing. You know, the volunteer fire
21 departments have been the hub of the community
22 forever. Churches and other entities got in the bingo
23 business, and quickly a lot of us go out of the bingo
24 business because your crowds became next to nothing
25 and it became unprofitable. And unfortunately, I

1 don't think this is the pie to be shared by everybody.
2 Not to sound greedy or anything, but if you find
3 another entity that saves your Commonwealth \$6 billion
4 a year, fund them, let them do it.

5 But you know, volunteer fire fighters are
6 a special type of person. I'm a school teacher, and I
7 go to school everyday. And a lot of people --- I'm
8 struggling after a late night's fire and a long night,
9 and my co-workers and professionals will ask me, why
10 do you do this? You have a comfortable job; you know,
11 you're a professional. Why are you out until four
12 o'clock in the morning on a school night doing this?
13 Sometimes I'm not sure. But when I'm running a
14 fundraiser or standing there at a turkey raffle, I'm
15 not sure why I do it. But then I think back to my
16 family, and I know why I do it.

17 So I think if we allow our guys to have a
18 source of income that we can rely on that doesn't take
19 the whole department to be here every night, I think
20 we'll really get an increase. And I think it's just
21 going to make our fire department stronger. And we'll
22 rely less on the state. Let's face it; when my
23 department looks to those state grants and our eyes
24 get big and we're so excited every year, and every
25 year that it comes back we're excited. We have a

1 pumper that we received with a Department of Homeland
2 Security grant two years ago, going on three years,
3 for a quarter of a million dollars.

4 That's nice to say, but until you still
5 owe \$200,000 on it. So it's a tough thing. We also
6 have a new mini pump that cost us about \$200,000. We
7 use that grant program to turn around and pay the
8 state back at two percent. So basically our engine
9 payments are made from that grant. You know, if that
10 disappears, I don't know where we're going to come up
11 with, you know, that kind of money monthly to pay off
12 that equipment; it's going to be tough. So like I
13 said, if there's an entity out there that saves \$6
14 billion dollars a year to go to the taxpayers, you
15 know ---. I know in my community, we have a lot of
16 retirees and lower income and mixed budgets, we don't
17 think this could work. So this would be truly
18 something we feel ---.

19 CHAIRMAN:

20 Thank you, Chief. We appreciate your
21 input and your testimony.

22 CHIEF CALLAHAN:

23 Thank you.

24 CHAIRMAN:

25 We look forward to further discussion.

1 Our next testifier is Ted Partsch, Chief of the Cover
2 Hill Fire Company.

3 CHIEF PARTSCH:

4 All right. I'm not a speechmaker.

5 REPRESENTATIVE BARBIN:

6 Okay.

7 CHIEF PARTSCH:

8 I've been in the fire business for 60
9 years. I just became a Firefighter One. I'm the
10 oldest one in Pennsylvania to take the test to be a
11 Firefighter One. What this bill is going to help us
12 --- we are a small company. And like he said, what
13 they made --- we only have maybe five or six times and
14 the biggest was like \$750. And we thought that was
15 great. That made a payment on our truck --- on a two-
16 percent loan payment on our truck. And we thought
17 that would be great if we could get that every time.

18 And like I said, I'm not a speechmaker,
19 but I think that Bryan is trying to help the volunteer
20 fire companies, and that's the main thing. And like I
21 said, everything that Chief Callahan said is true. In
22 other words, what we do and what we do for our
23 community is all volunteer, and I'd like to see it run
24 the same with this bill. In other words, there's
25 different things, you let it get out, and everybody

1 else is running it, too. We don't want to hurt
2 nobody, like a church or anything like that. I don't
3 want to see that.

4 But it paid off in our company; with two
5 to three men, we run this. And that's what's good
6 about it. In other words, just like he said, he put
7 all them hours in for his conventions and stuff that
8 he had, and what did he gain out of it; do you know
9 what I mean? The companies that come in to apply
10 these entertainment or what it was, that's who took
11 all the money; where this thing here, stayed right in
12 the fire company. Okay, any questions?

13 CHAIRMAN:

14 Any questions? Representative Reese.

15 REPRESENTATIVE REESE:

16 Thank you, Mr. Chairman. You had
17 mentioned something, so I'm just going to ask. Would
18 you be opposed if churches were allowed to put on
19 tournaments like this, would that be an issue ---?

20 CHIEF PARTSCH:

21 No, I couldn't ---. No.

22 REPRESENTATIVE REESE:

23 You wouldn't be supportive of that?

24 CHIEF PARTSCH:

25 I would support it; right.

1 REPRESENTATIVE REESE:

2 You, you ---?

3 CHAIRMAN:

4 He would be support it.

5 REPRESENTATIVE REESE:

6 Oh, you would support it? Okay. So ---.

7 CHIEF PARTSCH:

8 I would support it.

9 REPRESENTATIVE REESE:

10 So you're --- so it's similar in your
11 mind to bingo and to chuck-a-luck at the festivals?

12 CHIEF PARTSCH:

13 Right.

14 REPRESENTATIVE REESE:

15 You don't see much of a --- okay. All
16 right, great.

17 CHIEF PARTSCH:

18 Okay.

19 REPRESENTATIVE REESE:

20 Thank you.

21 CHAIRMAN:

22 Kevin.

23 REPRESENTATIVE MURPHY:

24 Thank you for your testimony, Chief. I
25 just want to --- I have a question with regards to the

1 license that would have to be obtained at a \$1,000 fee
2 to hold such a tournament. And if you were to only be
3 able to hold four tournaments in a calendar year, and
4 if your best fund-raising efforts during your Texas
5 Hold'em experience was \$750, do you think the four
6 tournaments per year would still allow you to be
7 profitable?

8 CHIEF PARTSCH:

9 I'm going to try it anyhow. That's what
10 we're going to do. Like I said, I know you have to
11 have a fee to be licensed and stuff like that, but I
12 would still go along with it; do you know what I mean?
13 We'd try it out. Because I think in the long run, we
14 would be able to advertise or something like that and
15 get more people to come, because everything before was
16 word of mouth. And the people come and they enjoyed
17 being there and --- in other words, it runs itself.
18 And that's one good thing about it, so ---.

19 REPRESENTATIVE MURPHY:

20 I agree with you, Chief. And I also
21 believe that whatever proceeds that you garner through
22 in Texas Hold'em tournaments, even if it's only four a
23 year, it's less contended than you rely on the state
24 government for funding. So that's all I have, and I
25 appreciate it.

1 CHIEF PARTSCH:

2 Okay.

3 CHAIRMAN:

4 Representative Barbin.

5 REPRESENTATIVE BARBIN:

6 Chief Partsch, thank you for being here.

7 And the question I would have is just --- when you
8 have yearly expenses for running the fire company, are
9 your yearly expenses going up over time? I mean, what
10 are your fixed expenses for running the Cover Hill
11 Fire Company? Is it \$20,000, is it \$10,000?

12 CHIEF PARTSCH:

13 That's --- I would say \$20,000 of the
14 budget.

15 REPRESENTATIVE BARBIN:

16 And how many volunteers do you have in
17 your company?

18 CHIEF PARTSCH:

19 Right now, I'm going to say I have about
20 26. Like I said, last year I put --- including
21 myself --- we put ten through Firefighter One; okay?
22 And this year, I got three that's going to Firefighter
23 One.

24 REPRESENTATIVE BARBIN:

25 Is one of the reasons that you're having

1 trouble with --- you know, you had ten Firefighter
2 One's last year, and you have three going through this
3 year, does it --- is it an issue for you as far as
4 retaining people or getting new volunteers that they
5 have to spend so much time with fundraising, is that a
6 problem?

7 CHIEF PARTSCH:

8 That is a problem.

9 REPRESENTATIVE BARBIN:

10 Okay.

11 CHIEF PARTSCH:

12 It is. But I have also --- I just ---
13 last year, we put ten junior firemen through, and I
14 don't think many companies anymore than that; in other
15 words, what we had. In other words, we have from 14
16 up to 18. They took their --- they got clear up ---.
17 And like I said, if you don't get these people when
18 they're young, you're not going to get them. And they
19 really turned out, and I have to keep them --- we have
20 the training once a week, and they have to be there.
21 Now, they're not there all the time if they have an
22 excuse. But we try to keep them interested in
23 something because if you don't, you're going to lose
24 them. And once they get old enough, they're going out
25 and getting a job, you know you ain't going to get

1 them to start. But if you can get them trained when
2 they're young, I think I did something that was good
3 there.

4 REPRESENTATIVE BARBIN:

5 Thank you, Chief.

6 CHIEF PARTSCH:

7 Okay, thank you.

8 CHAIRMAN:

9 Chief. Thank you very much.

10 CHIEF PARTSCH:

11 Okay.

12 CHAIRMAN:

13 The next testifier is Jason Ober, and
14 he's the Chief here at Richland Fire Company.

15 CHIEF OBER:

16 Thank you.

17 CHAIRMAN:

18 Thank you, Chief.

19 CHIEF OBER:

20 Good morning, everyone. Do you want me
21 to start?

22 CHAIRMAN:

23 You're up.

24 CHIEF OBER:

25 I have a totally different approach, and

1 I'm going to take a little more time than what these
2 folks took. My position here at this fire department
3 is I'm the district manager, and I get paid to be
4 here. I've been volunteering since I was about ten
5 years old. But I get paid now; my job is to be here.
6 We will raise one million dollars this year in
7 fundraising at different levels. We have a bar that's
8 in operation more than 350 days a year. We have a
9 catering business. We have banquet facilities that
10 can be used for weddings.

11 This facility has been running five days
12 a week, so we run a business a little bit different
13 than those volunteer companies, with a lot of respect
14 to these individuals, just based on demographics and
15 the population of our community. What Texas Hold'em
16 does and the opportunity to do these events does for
17 an organization of our size and our statute is that it
18 gives us another opportunity to raise funds that's
19 unique in the fact that other organizations aren't
20 doing it. One of you asked someone, would your
21 church --- would it be okay if the church sponsored
22 it.

23 I'm opposed on it, because I'm greedy.
24 Because when you let the church do it, then the Little
25 League wants to do it. If the Little League wants to

1 do it, every other non-profit wants to do it and then
2 you're missing the purpose of why the volunteer fire
3 department wants to do it. If you streamline the
4 volunteer fire departments, then they're the one's
5 doing it.

6 Now, something that I'm not exactly in
7 favor of --- we're a result of the consolidation of
8 four fire departments in the last nine years. Over
9 the nine years, we consolidated four fire departments
10 into what's today the Richland Township Fire
11 Department. I should not be considered the same as
12 what any of these organizations are only because
13 they're able to get four poker licenses for their
14 organization; correct? If I'm only allowed to get
15 four, why did I consolidate all of my organizations
16 into one? I believe that the amount of license to an
17 organization should be based on your size and
18 population of the demographics in your area. Someone
19 needs to manage this, and this is probably my number
20 one.

21 I'm totally opposed to Texas Hold'em
22 tournaments --- you guys probably don't want to hear
23 that --- if this is going to be managed by an out-of-
24 control organization like the Pennsylvania Liquor
25 Control Board. If the officers from the PLCB are

1 going to be given the reigns to come in at free will,
2 overseeing with no --- with no true guidance from our
3 Commonwealth or from individuals and the rulebook,
4 then it's probably not a good idea because all it's
5 going to do is put me back in a court battle with the
6 PLCB officers who right now want to fight with me
7 because we consolidated organizations.

8 It's a very frustrating battle, but I've
9 got to fight with my own Commonwealth and spend my
10 hard-earned dollars. We have an end budget of our
11 size and statute spending dollars fighting with your
12 own state, it's not a good situation. I would
13 recommend in this case --- yeah, I don't even know
14 what Texas Hold'em is; you all are talking about chips
15 and who's dealing and all that. I don't worry about
16 that. \$100 sounds good to me; \$130 even sounds
17 better. The more you charge, the more I have to pay
18 just for the --- the more profitable you can be, and
19 the more prizes you can put out and the better the
20 hopes of people coming to play. But at the same time;
21 whenever we look at this across the board, we're going
22 to charge a licensing fee of \$1,000. Well, who's
23 getting the licensing? I'm going to ask the real
24 question; who's going to get the licensing fee because
25 whatever that is there's probably --- how many fire

1 departments are in the Commonwealth? How many?

2 REPRESENTATIVE MURPHY:

3 2,000 to about 2,500.

4 CHIEF OBER:

5 2,500?

6 REPRESENTATIVE MURPHY:

7 Usually.

8 CHIEF OBER:

9 So if there's that many licensing
10 organization in the --- fire departments in the
11 Commonwealth, if they're all going to spend \$1,000,
12 and let's say 50 percent of them decide to do Texas
13 Hold'em, my recommendation is that we pay someone to
14 oversee gambling in fire departments to help
15 streamline and to help keep fire departments out of
16 trouble. Let's use some of those funds to help keep
17 fire departments doing this by the books the right
18 way. Because again, that's a --- that's a big
19 problems, guys. You don't understand how bad it is
20 for us when I've got some officer come in and grill my
21 21-year-old bartender about where the small games of
22 chance license are going at the bar. And if the poor
23 kid says one thing wrong, and my 15-year-president is
24 going to end up standing at the courthouse like a
25 criminal. Come on.

1 So my recommendation --- or this poor
2 individual here is going to jail, one of their guys is
3 going to jail because they can't --- you can't fight
4 off the rules. I want someone to give me the rules.
5 I want to play by them. I want to play by them, but
6 that's probably the most passionate part of this for
7 me because I want to play by the rules. We're all
8 going to make money, and that's all great and that's
9 all fine. But when I look through this, I'm most
10 concerned about --- I'm most concerned about the
11 rules, how they're going to be established and that
12 we're all playing on an even field so that we're not
13 being held criminally liable and being made to feel
14 like we're doing something wrong when all we're trying
15 to do is better our community.

16 The economic benefit this fire department
17 provides to its community is \$3.5 million a year. We
18 have 50 people on our payroll. We're obviously not
19 trying to do anything wrong. The impact --- the
20 financial impact that Texas Hold'em has in this
21 organization is, you got Bryan --- I gave Bryan Barbin
22 our budget. Representative Barbin, I gave him our
23 budget. It's been a whole lot harder at the end of
24 the year to get about \$25,000 on a good year. If we
25 don't do anything outside the ordinary, we get about

1 \$25,000 of profit at the end of the year.

2 I've got a \$3.5 million renovation
3 project for this facility we're sitting at. You can't
4 hardly do that on \$25,000 a year. So opening up
5 opportunities such as Texas Hold'em allows us another
6 way to raise funds that's legalized, and it's a great
7 opportunity because it's the type of event that I want
8 to see. It has very low overhead, number one. Number
9 two, it takes very few people, as they said, to run
10 the operation, and it's fun. Fun fundraisers are what
11 help you recruit and retain your volunteers.

12 If you have a fundraiser that is very
13 stressful and hard for your volunteers, it's
14 worthless, because all they're going to do is fight
15 and carry on and you lose volunteers, and the kids
16 don't want to come out. In this organization right
17 now, we're highest posts. When I joined this fire
18 company in the early '90's, there wasn't enough space
19 for deer on walls down there. We went through some
20 years, right until it fell off back in those days.
21 Don't ask me what we're doing, I don't know, but I
22 don't want to change it. Because we've got more
23 volunteers here now than we've ever had.

24 Just this Thursday morning at 11:00 a.m.,
25 two fire trucks go out the door with a total of 13

1 guys, 14 including myself on the first two fire trucks
2 in three minutes or two minutes from the time they got
3 the call. That's pretty impressive. So recruiting
4 and retention has got to be a priority. And running
5 fundraisers that do not stress your volunteers is
6 pretty impressive for state representatives to want to
7 take that approach.

8 The days of flipping hamburgers at bingo
9 are long over. Let me look at my notes here. And I'm
10 sure that I speak on behalf of every individual from
11 every fire department in this Commonwealth that's ever
12 dealt with the Liquor Control Board about --- and I'm
13 very sincere about that. That it needs to be --- the
14 way this is handled needs to be addressed. I mean, if
15 it takes us three years to get this bill passed so
16 that like at the end of the day we're all being able
17 to do this the right way and we're all on the same
18 playing field --- I mean, I want to see it so that we
19 can start our first Texas Hold'em game January 1st.
20 I'm really into that. But nevertheless, I'd rather
21 see it done the right way. So with that, I think I
22 went through all my notes here so.

23 CHAIRMAN:

24 Representative Murphy.

25 REPRESENTATIVE MURPHY:

1 Thank you very much. And you bring up
2 some legitimate concerns. And something that I'm
3 concerned about with regards to oversight and
4 regulation and who's going to be enforcing in making
5 sure that ---.

6 CHIEF OBER:

7 You can't tell that I'm not a fan of it.

8 REPRESENTATIVE MURPHY:

9 I got that impression. But anyhow, the
10 way I see the way the legislative process works is the
11 Gaming Oversight Committee will take all this impact
12 from all different volunteers, fire chiefs and members
13 throughout the Commonwealth to try to make it a better
14 bill and to try to improve on the bill. But one of
15 the things that --- and as you stated, is oversight.
16 So I'm not sure at this point if anybody can answer
17 that question.

18 I know the --- I, in a former life,
19 worked for the Auditor General and I was a liquor
20 store examiner. I didn't do the oversight for you, so
21 there's no reason for you to be having animus towards
22 me.

23 CHIEF OBER:

24 No. No one take it personally, by the
25 way our ---

1 REPRESENTATIVE MURPHY:

2 No, I was only kidding. But they also
3 have the Firefighter --- Volunteer Fire Relief audits
4 within the Auditor General. I'm sure you've seen
5 those ---

6 CHIEF OBER:

7 Yep.

8 REPRESENTATIVE MURPHY:

9 --- men and women come through here. But
10 oversight is an important part of this potential
11 legislation. So I think it's important that you
12 brought it up. I don't have an answer for you today.

13 And then the other thing that you
14 mentioned that kind of popped out at me was the more
15 than four tournaments per year because you have four
16 different fire companies closed down and come together
17 to make one bigger volunteer fire company. And I look
18 around at the size of the hall that you have here and
19 I notice that there's probably 20 people for each
20 table here. So instead of having 200 people in this
21 particular hall, you could probably have 300, 400
22 people. So you have a little bit bigger capability, a
23 little bigger capacity. And with the size of your
24 volunteer fire company, I'm sure you could draw a
25 larger crowd to the events that you were to hold. I

1 don't have any further questions. Just a couple
2 observations.

3 CHIEF OBER:

4 Let me --- and the four times a year
5 thing for me, again, is something that needs to be
6 addressed, because again why should you want --- let
7 me take over --- for the firehouse? The size of it
8 doesn't change it. But they got the fire departments
9 right now are separate entities inside the same walls.
10 So technically he could get a liquor license started
11 up. If they can get eight, not eight liquor license
12 but they could get eight --- because they --- they're
13 in the same --- their fire trucks are parked next to
14 each other in the same building, two separate
15 charters. He can get eight poker licenses a year,
16 Texas Hold'em licenses a year technically.

17 CHIEF CALLAHAN:

18 We are separate entities. They are more
19 or less renters. They share the partnership,
20 everything we do. They pay half the bills, so he's
21 right, we still ---.

22 CHIEF OBER:

23 So understand, though, he's going to have
24 eight tournaments a year inside his walls. Now, I'm
25 going to have to compete with my four tournaments with

1 his eight tournaments. I just believe that if you're
2 going to, you know, try to promote consolidation, and
3 I don't know where your position is at in
4 consolidation in the Commonwealth, but obviously I
5 think everyone's, you know, trying to push
6 consolidation. You need to address that. When I go
7 to the State Fire Commissioner's office and say ---
8 you know, for our annual grant from the State Fire
9 Commissioner's office, they give me an opportunity to
10 apply for one grant for every fire department we
11 consolidated with since the year 1999 or '89 or
12 something. It was a date that they have to establish.

13 And so for each one of those, we get an
14 opportunity to apply for \$15,000. This year we're
15 probably going to apply for up to \$45,000, or last
16 year we were able to for up to \$45,000, you know, with
17 that opportunity just based on it. So again, the size
18 and the statute --- now, when you go outside of here,
19 go to Harrisburg area. My financial need --- if
20 you're going to benefit us and if Texas Hold'em
21 tournaments are going to benefit us, our main number I
22 can make \$9,000 just sitting here figuring out if I
23 get 200 people, \$100 a head, 60 percent and pay back
24 all those things, I can make \$9,000.

25 But when you have a budget and you get to

1 the Hampton Township Fire Departments --- so let's
2 take it outside of Cambria County. We got Allegheny
3 County and you get into some of their volunteer fire
4 companies, you want to help impact, if you're in a
5 demographic that has a requirement that's much larger
6 than what the Oakland or the Clover Hill Fire
7 Departments have, then you need to be able to help
8 them in that manner. Do you follow what I'm saying?
9 It's relative to the population, it's relative to your
10 financial need.

11 CHAIRMAN:

12 Understood.

13 CHIEF OBER:

14 You understand what I'm saying? So I
15 mean, I don't want to --- and I appreciate where
16 you're coming from and it's a very hard thing to do.
17 Again, that's why I believe someone at the state level
18 needs to manage this, because writing a bill that says
19 if you have 8,000 people or more, you get 7,0000, or
20 whatever it may be, it's going to be very hard to do
21 to address everything in the Commonwealth. But if you
22 had a department that managed how the licenses are
23 being handed out, you know, the Liquor Control Board
24 has the individual who comes out and inspects our
25 facilities whenever we built a deck on the club, you

1 know, we built a deck, that guy's a great guy. He
2 comes out and gets real with you. He's a real person,
3 and you know, comes out and looks and says, yes,
4 you're doing it right. Thanks. Bye.

5 REPRESENTATIVE MURPHY:

6 Your comments just emphasize the
7 importance of having Representative Barbin and
8 Representative Santoni coming here for the Gaming
9 Oversight Committee, because your input is very
10 critical and is very important to crafting federal
11 legislation to address the needs of volunteer
12 firefighters.

13 CHIEF OBER:

14 I appreciate it.

15 REPRESENTATIVE MURPHY:

16 That's all I have, Mr. Chairman.

17 REPRESENTATIVE BARBIN:

18 I have a couple of questions. Thank you
19 for being here. And we appreciate --- we need all the
20 different perspectives to try to get the bill so it
21 actually helps. And one of the things I wanted to
22 make sure we had on the record was how many volunteers
23 do you have in the four consolidated fire companies?

24 CHIEF OBER:

25 We have approximately 75 volunteers.

1 Volunteer fire service is very hard. We're at number
2 75, as we stated.

3 REPRESENTATIVE BARBIN:

4 Okay. And how many --- what is the
5 population that ---?

6 CHIEF OBER:

7 My population, according to the 2007
8 census, is 15,100. I don't know what our population
9 is now, but Richland Township has grown quite a bit
10 since then, and we'll see what the census turned
11 around to look to Bob, he's the township supervisor,
12 so he might have the exact number.

13 REPRESENTATIVE BARBIN:

14 Okay. And you're also looking at his
15 consolidation now with Geistown.

16 CHIEF OBER:

17 Yeah. I would say, and I'm including
18 Geistown in our numbers.

19 REPRESENTATIVE BARBIN:

20 Okay.

21 CHIEF OBER:

22 You know, whenever I discuss 15,000.
23 That consolidation will be complete by the end of the
24 year, for all intents and purposes, it's complete now.

25 REPRESENTATIVE BARBIN:

1 All right.

2 REPRESENTATIVE REESE:

3 Since you did say that, now I do have a
4 question.

5 CHIEF OBER:

6 Okay.

7 REPRESENTATIVE REESE:

8 You said --- are you paid to manage the
9 facility or are you a paid fireman?

10 CHIEF OBER:

11 I am paid to manage this facility.

12 REPRESENTATIVE REESE:

13 A volunteer fireman?

14 CHIEF OBER:

15 A volunteer firefighter. My title is a
16 business manager.

17 REPRESENTATIVE REESE:

18 A business manager of the organization.

19 CHIEF OBER:

20 Oh, by the way, we just ran two fire
21 calls this morning, and I'm also the assistant
22 volunteer fire chief. So it's a great give and take
23 from the community from a volunteer perspective. We
24 just take a different approach in the way we do
25 things. My guys set the banquet facility up this

1 morning, one drove the ladder truck and the other rode
2 in the ladder truck in the last fire call. So they
3 were here doing this because that's what they're paid
4 to do from our funding we raise, but oh, by the way,
5 if there's a fire call, they handle that, too, from
6 8:00 to 4:00 Monday through Friday.

7 REPRESENTATIVE REESE:

8 Okay. So how many people --- you said
9 you employed 50?

10 CHIEF OBER:

11 We have 50 people on our payroll. And
12 there are seven of us that are on what you would
13 consider firefighters. Jobs are much different than
14 any paid fire services, though they change the light
15 bulbs in the fire trucks when they're burned out, they
16 check the apparatus to make sure it's intact. Their
17 real job is to take care of the fundraising efforts,
18 cut the grass, set up the banquet hall. Like I said,
19 this is, you know, round three of a five-day stretch.
20 So they turned this place around this morning. There
21 was something in here last night and we turned around
22 for this today, and they've got to get started for
23 tomorrow's event and then there was a wedding this
24 weekend.

25 REPRESENTATIVE REESE:

1 Okay. Forgive me, because I'm not ---.

2 CHIEF OBER:

3 Yeah. No, no. I love the opportunity to
4 tell you.

5 REPRESENTATIVE REESE:

6 Tell me, if you could, you said you have
7 50 paid employees, 7 of those paid employees aren't
8 active volunteers?

9 CHIEF OBER:

10 Are firefighter category. The rest of
11 our payroll are cooks, waitresses, bartenders. I have
12 a person who runs our banquet facility rentals. We
13 have a girl who does our fundraising coordinating, we
14 have a person that does all of our catering. She
15 facilitates all of our catering events. So we've got
16 a plethora of other positions that most of which don't
17 know the color of our fire trucks. What helps the
18 world go around here and reduces the stress on the
19 volunteers and helps recruitment.

20 REPRESENTATIVE REESE:

21 Okay. Thank you.

22 CHIEF OBER:

23 Yeah.

24 REPRESENTATIVE BARBIN:

25 I have --- I'm trying to look at this

1 from a perspective of how do we make sure that the
2 legislation directs whoever it is that's going to
3 supervise with very specific rules so there aren't
4 problems. And what I want to know is that do you have
5 C club licenses for your volunteer fire company?

6 CHIEF OBER:

7 We have a C club license for the
8 firemen's club.

9 REPRESENTATIVE BARBIN:

10 Okay. And that's the one in Solomon Run?

11 CHIEF OBER:

12 That's the one in Solomon Run.

13 REPRESENTATIVE BARBIN:

14 Okay. And a C club license, you're not
15 --- you have to have --- you have to be a member in
16 order to sell it to those people; is that right?

17 CHIEF OBER:

18 Correct.

19 REPRESENTATIVE BARBIN:

20 Okay. So what's your opinion on whether
21 Texas Hold'em companies --- and forgetting about the
22 number. I understand your issue on the consolidation.

23 CHIEF OBER:

24 Right.

25 REPRESENTATIVE BARBIN:

1 You ought to have more if you're
2 consolidated or ---.

3 CHIEF OBER:

4 We don't think C clubs should be allowed
5 to gamble.

6 REPRESENTATIVE BARBIN:

7 Right. Well, if --- I think we're
8 looking at it from the perspective of you have to have
9 it onsite. You have to --- it has to be you and it
10 has to be run by you.

11 CHIEF OBER:

12 Right.

13 REPRESENTATIVE BARBIN:

14 But that wouldn't be at Solomon Run, that
15 would be more likely to be here. But what's your
16 position on whether alcohol should be served, because
17 that gets you into this liquor enforcement issue?

18 CHIEF OBER:

19 You need to have alcohol served.

20 REPRESENTATIVE BARBIN:

21 Okay. Now, ---.

22 CHIEF OBER:

23 It may not be the thing everyone wants to
24 hear --- to want to be successful. Because here's
25 what happens; if you don't have alcohol served,

1 they're going to let them bring their own beer in. Or
2 they're --- you know, you're going to have --- I mean,
3 I just circled alcohol because that was the next thing
4 I wanted to ask everyone's opinion. Alcohol sells.
5 Welcome to 2009. Alcohol and sex sells; right? So
6 alcohol being there is a --- you know, it's a got to
7 be.

8 REPRESENTATIVE BARBIN:

9 Well, alcohol is ---.

10 CHIEF OBER:

11 I don't drink, so it doesn't matter to
12 me. But the people who gamble drink. We have a
13 liquor liability policy that's pretty substantial. It
14 costs us quite a bit a year to have a liquor liability
15 policy, insurance policy. Our bartenders are mandated
16 to go through liquor liability training. I don't
17 think that you have an open-ended spigot, but if you
18 open up the door for alcohol, then, again, Bryan,
19 that's exactly why I said LCB needs to be involved.
20 But there needs to be defined laws. Alcohol being
21 sold at an event opens up additional revenue
22 opportunities for an organization to capitalize on
23 during a Texas Hold'em tournament.

24 REPRESENTATIVE BARBIN:

25 So you know, this is a carve out of small

1 games of chance, or at least that's how this thing is
2 set up. If the special occasion permit is necessary
3 under small games of chance, it's --- what would be
4 your suggestion if the special games are that the
5 special occasion permit would equal the number of
6 licenses that you got under the Texas Hold'em license
7 or would it be a combined license? Do you see what
8 I'm saying?

9 CHIEF OBER:

10 I think it could be a combined license,
11 because if Oakland Fire Department chose to have a dry
12 Texas Hold'em, that would be their choice if they
13 decide to use their special occasion's permit towards
14 another event. Do you follow me? And keep them
15 separate and I choose to have a dry Texas Hold'em and
16 use my special occasion's liquor license permit
17 towards another event. Managing our special
18 occasion's permits here in this fire department is
19 very important for us to reach our number at the end
20 of the year, our budget number. You only get so many
21 special occasion permits.

22 To manage those properly with the events
23 that you have is very important. I think combining
24 them into one and counting against your special
25 occasion's permits would not be a good thing, because

1 I may choose to have two Texas Hold'em tournaments and
2 make them dry.

3 REPRESENTATIVE BARBIN:

4 Right.

5 CHIEF OBER:

6 So let me use my liquor license to ---.

7 REPRESENTATIVE BARBIN:

8 So it would be your suggestion that if
9 you have these licenses for liquor for Texas Hold'em
10 that they should also be --- they should be
11 specifically exempt from your other special occasion
12 permits that you use at the fire hall?

13 CHIEF OBER:

14 Yes.

15 REPRESENTATIVE BARBIN:

16 Okay. Thank you.

17 CHIEF OBER:

18 And that brings up something I thought
19 about because I spoke with Senator Wozniak's office
20 yesterday. Gary Barton who's a big advocate of crime
21 solvers did Texas Hold'em tournaments. And he used to
22 do them at the Galleria Mall and have different
23 organizations sponsor them. Will this legislation
24 limit them --- will this bill limit the Texas Hold'em
25 tournaments to be held on the property of the

1 volunteer fire department?

2 REPRESENTATIVE BARBIN:

3 The way it's set up is ---.

4 CHIEF OBER:

5 The only reason I ask that again is back
6 to what he said about how many people. You know, if
7 Oakland Fire Department wanted to take it outside of
8 their premise --- and I'm okay with that. I'm not
9 saying that that's not right or wrong. I'm just
10 bringing up a point to prove that, you know, they
11 could take it to the Galleria Mall and all of a sudden
12 you have a totally different audience, and liquor is
13 obviously not being sold on Saturday afternoon at the
14 mall. But they took the approach of poker type of
15 deal where everyone stood around the chains and looked
16 at the people playing poker. It was just a different
17 way to market it. And again, made it a little more
18 profitable for the crime solvers when they ran this.

19 CHAIRMAN:

20 I just have a couple of questions. Not
21 all gaming related, but since we're talking about
22 volunteer fire companies. You said you've been very
23 successful in keeping young fire fighters and your
24 recruiting efforts are up, but what do you do --- what
25 are you doing to do that?

1 CHIEF OBER:

2 No, really. We've gotten nothing from
3 consolidation.

4 CHAIRMAN:

5 No?

6 CHIEF OBER:

7 No.

8 CHAIRMAN:

9 That didn't help, the loss of people.

10 CHIEF OBER:

11 No. We lose people in consolidation
12 because they want to take their toys and go home. You
13 know what we do? We don't sit around the table and
14 fight and argue about where we're going to buy turkeys
15 for an event. We take the --- we take the
16 administration out of the fire department of more runs
17 the fire department and our kids come and ride fire
18 trucks, what they came here to do. We worry about
19 recruitment, retention or volunteers. We don't make
20 them --- we don't make them feel like they're coming
21 here to work, they're coming here to hang out.
22 Fundraisers need to be fun, if they're not fun ---.
23 Bingo, not fun, see ya later. Who wants to get yelled
24 at by a bunch of elderly individuals?

25 CHAIRMAN:

1 Was it this tax credit that we passed?

2 CHIEF OBER:

3 Nothing.

4 CHAIRMAN:

5 It didn't help you?

6 CHIEF OBER:

7 Make the fundraisers fun, make the fire
8 department fun, give them activities. And I told a
9 story the other day; I came in here one night the guys
10 wanted to do training, so they wanted to build a hut
11 or do some sort of roof training. I went to Lowe's
12 and spent \$250 on wood. We brought it here to the
13 firehouse and burned it. Sounds real intelligent;
14 right? The camaraderie and morale and everything
15 that's built over that \$250 pile of wood that was
16 burnt out back as fast as we bought it, most fire
17 departments would have had a heart attack and fought
18 over it for six months. The kids enjoyed it. They
19 had a great time and then that's what keeps them
20 coming back to flip hamburgers.

21 CHAIRMAN:

22 A lot of the liquor issues are dealt
23 with, with another committee, but I happen to be a
24 member of the Liquor Committee but I'm not the
25 Chairman. So be careful. I shouldn't have told you

1 that, I guess. You said that when you consolidated
2 the four fire companies you were fighting with the LCB
3 about that. Did you --- was that also ---?

4 CHIEF OBER:

5 You don't have enough time for me to say.

6 CHAIRMAN:

7 Okay.

8 CHIEF OBER:

9 I promise.

10 CHAIRMAN:

11 Okay.

12 CHIEF OBER:

13 Two and a half years it took. Courts,
14 attorneys.

15 CHAIRMAN:

16 They fought you consolidating?

17 REPRESENTATIVE BARBIN:

18 The Department of State.

19 CHIEF OBER:

20 The Department of State, the right does
21 not know what the left is doing in this Commonwealth.

22 You probably never heard that before; right? I'm

23 sorry, if I offend anyone. I just ---.

24 CHAIRMAN:

25 No. You're not offending us. We need to

1 hear that, quite frankly.

2 CHIEF OBER:

3 So we can sit down, and that's a whole
4 different issue ---

5 CHAIRMAN:

6 Okay.

7 CHIEF OBER:

8 --- that I've been talking to Bryan
9 about.

10 CHAIRMAN:

11 Okay. Okay.

12 CHIEF OBER:

13 But we can sit down and talk about it off
14 the record.

15 CHAIRMAN:

16 Okay. Just to go back again. You're
17 for the Texas Hold'em, but some of the changes that
18 you --- you want to change the licensing based on size
19 instead of demographics?

20 CHIEF OBER:

21 I believe the size and the demographics
22 of an organization needs to be accounted for.

23 CHAIRMAN:

24 Now, I'm going to ask you another
25 question, and it's about the LCB, so try to --- if you

1 can be ---. Is it because of the over zealousness of
2 the agents? Because if it's --- or is it because we
3 need to change law, because if it's --- if they're
4 actually ---.

5 CHIEF OBER:

6 The over zealousness of the agents ---.

7 CHAIRMAN:

8 If they're following the law, then it's
9 something that we have to change, not them.

10 CHIEF OBER:

11 It's not because of the over zealousness
12 of the agents, ---

13 CHAIRMAN:

14 All right.

15 CHIEF OBER:

16 --- no defining law dealing with
17 consolidation. See, I can --- I believe in doing
18 things the right way. And if you want to bend the
19 laws, you're only going to get burnt in the long run.
20 So I try to do everything by the law, because it's
21 easier. But I could get really, you know, dirty and
22 keep four, keep four separate charters in our fire
23 fund. We have for separate active charters. Search
24 any one of them on the Department of State's website
25 today, you'll find that Richland Township Fire

1 Department is the parent company of the Solomon Run
2 Volunteer Fire Department or the Belmont Fire
3 Department, Geistown Fire Department. All those are
4 still active.

5 So I could, I could bend the laws and I
6 could get four Texas Hold'em tournaments for each one
7 of those organizations or each one of those charters
8 that still are owned and operated by this
9 organization. There needs to be some defining laws
10 that specifically deal with consolidation of
11 organizations. And consolidation is the newest thing.
12 You know, it's the trend in the Commonwealth and we
13 see it in our region all the time. But when an agent
14 doesn't know --- quite frankly, doesn't know the rules
15 or has a different perspective of what you've done,
16 I've got a piece of paper that says we own the Solomon
17 Run Firemen's Club. Our name is on the deed at the
18 courthouse Prothonotary.

19 The Liquor Control Board license has
20 Solomon Run Firemen's Club --- Richland Township Fire
21 Department trading as Solomon Run Firemen's Club.
22 Sounds pretty simple; right guys? Unless you get some
23 out of control LCE, which is a whole different --- and
24 again, because there's no rule book --- and I've
25 talked to folks at the LCB about this, I've talked

1 with Bryan about this, I've talked with Senator
2 Wozniak's office about this. Everyone wants to waive
3 the flag and says let's consolidate. And that's why
4 I'm very concerned about Texas Hold'em, because you
5 need to have a rulebook.

6 What I've learned in dealing with our
7 Commonwealth is that there's no --- there's not a
8 rulebook. If this agency feels like this, that agency
9 feels like that, somewhere in the middle you come up
10 with up an answer, it may not always get the same
11 answer.

12 CHAIRMAN:

13 Thank you very much for your testimony.
14 And thank you for hosting us today. We appreciate it.

15 CHIEF OBER:

16 Anytime.

17 CHAIRMAN:

18 Next testifier is Mr. Bob Heffelfinger,
19 who is Township Supervisor here in Richland Township.

20 SUPERVISOR HELLELFINGER:

21 Hi folks. I think it would be more fun
22 to represent the fire department today.

23 CHAIRMAN:

24 Okay.

25 SUPERVISOR HELLELFINGER:

1 But anyhow --- feel free to ask me
2 anything that you want. A quick history. I was one
3 of the founding fathers, if you will, of
4 consolidations in Richland Township. And Jason, quite
5 frankly, has picked up the fall out of
6 misunderstandings. And I'd be welcome to address the
7 PLCB issue, because that's clearly an area of
8 contention that this fire department has, because
9 you've got an agency that does not understand what
10 we've done here. So instead of trying to educate
11 themselves to the affects, they instead tried to file
12 charges against us. So that's something that needs to
13 be addressed, and it's a very passionate issue with
14 this fire department, and frankly of Richland
15 Township. And that's what I'll carry on with regards
16 to the Texas Hold'em.

17 Richland Township funds less than
18 \$200,000 annually with this organization. \$72,000 of
19 that is cash. The rest of it comes in the form of
20 hybrid rental, Workmen's Comp, fuel and payments to
21 large equipment as well as the maintenance there.
22 This fire department at this point only owns one major
23 piece of equipment of its fleet of roughly two major
24 pieces of the fleet of roughly I forget now --- of
25 about 15 units.

1 The township has either purchased those
2 units at one point in time or have claimed title to
3 those units resulting in subsequent insurance, costs,
4 maintenance, et cetera. With that being said, this
5 fire department is still saving Richland Township
6 about \$2.3 million dollars when you take into
7 consideration the population versus the service. And
8 I would ask you guys to look at maybe towns like Mount
9 Lebanon. Notice I said towns. No offense. Cities
10 like Mount Lebanon, the City of Johnstown, Warren,
11 Bradford, you know, limit some of the budgets of some
12 of those smaller communities with regards to paid
13 personnel.

14 I'd like to clarify a statement with
15 regards to paid personnel here, they are not township
16 employees. They are funded solely by the hard work
17 and efforts of this fire department. I was president
18 here from 1991 through 2005, at which time I was
19 appointed as a township supervisor and I have been one
20 since then. I'm very passionate about the fire
21 department, albeit probably biased, frankly the fire
22 service. I'm an eastern Pennsylvania boy. I grew up
23 in York County. And there's an area where there's a
24 lot of money, there's a lot of money and no people
25 with regards to volunteers.

1 The professional demographic there has
2 changed dramatically over the years. This area is
3 actually heading in that direction. I think my father
4 puts it very well. The people will run out before the
5 money will. There'll always be somebody that will
6 throw money at good nonprofit organization like the
7 fire department. Makes sense; right? But whether or
8 not you have the people to take advantage of that
9 money. A big proponent of consolidation, 50 percent
10 of the people in Cambria County love me, 50 percent of
11 them hate me. It just depends on what side of the
12 fence you are on with regards to consolidation.

13 This fire department had three of the
14 worst fighting organizations in this county. I'm sure
15 most of you guys can attest to that. But we made it
16 seem like it was a walk in the park. So I agree with
17 Jason a hundred percent. I think you need to weigh
18 --- I think there's too much concern with an equitable
19 formula for those of you looking at firemen's relief
20 legislation, which I can't wait until we get to
21 discuss that sometime. Equitable formulas don't work
22 when you have a population of 13,000, and God bless
23 their hearts, a population of 1,000.

24 How can you say that a fire department
25 --- with all due respect, gentlemen, a fire department

1 that serves a demographic of 1,000 people has the same
2 needs as Hempfield Township, Westmoreland County with
3 60,000, or Richland Township with 13,000 as of the
4 2000 census. You can't do it. It feels good to do
5 it. It seems like the friendly thing to do, but by no
6 means is equitable. You need to be taking a look at
7 service needs, service requirements. And then
8 determine the equitable legislation.

9 I think the policing of it is absolutely
10 necessary. I think that how you do that and making
11 sure that you fully understand the make up of
12 volunteer fire organizations and frankly, how they
13 change from, what, 200 years ago to where they are
14 today. Where you have a situation like Jason brought
15 to your attention with Oakland Fire Department or
16 Richland Fire Department, who, quite frankly, kept ---
17 I did it with the Department of State --- that kept
18 the charters alive to ensure that you could serve the
19 needs financially of our demographic with liquor
20 license.

21 And I've got PLCB telling me I can't file
22 a liquor license, or they can't file a liquor license
23 because it's under Solomon Run charter. Go to the
24 Department of State and ask them why I did what I did.
25 They're the ones that counseled me on it. Don't you

1 try to put the legislation --- don't you try to manage
2 something that you had nothing to do with. So I think
3 it's important that as you look at this, you make sure
4 that whatever entities are involved clearly understand
5 what could, in fact, take place.

6 With all due respect to the LCB law
7 officer, he probably doesn't get it. He probably
8 doesn't understand that we're the First Commonwealth
9 Financial Corp. that bought all those other ones and
10 those charters are still alive as an example. Okay?
11 That's what we did. So that's going to affect how you
12 potentially release license. We have no complaint if
13 we can get four licenses per charter; do we? As long
14 as a PLCB agent doesn't come in and file charges
15 against the fire department for license per charter
16 because he sees that the Richland Township Fire
17 Department. He doesn't see Solomon Run, he doesn't
18 see Belmont, he doesn't see Geistown. All of which
19 are properly filed with the Department of State.

20 I support it. Obviously there's moral
21 issues everybody has, and so again, as a politician,
22 you know, I'm kind of on the --- I'm in that position
23 where there will be people that would probably, you
24 know, potentially come out in sides; right? I don't
25 find Texas Hold'em personally as a --- at a firehouse

1 eagerly the same as Atlantic City, which I do, by the
2 way, and you know, play blackjack or whatever. And
3 I'll go to the question. I completely support alcohol
4 sales. How you distribute them, you know, I'm
5 thinking maybe the special occasion license maybe. I
6 don't know if this is where Jason stands on this, but
7 you file for a special occasion's license and you file
8 for your Texas Hold'em license. No different than us
9 filing for a small games of chance license to have a
10 gun raffle and a special occasion's license to serve
11 alcohol at that gun raffle.

12 So we'd love to know that you'll tie one
13 and one together. That would give us more.
14 Unfortunately, guys, and I don't know if the rest of
15 my brother firefighters agree, but it is a sad day,
16 but it is what it is where, quite frankly, our most
17 successful fund raising events involve alcohol at some
18 level or another. I'm done.

19 CHAIRMAN:

20 Okay. Questions? Anyone?

21 REPRESENTATIVE MURPHY:

22 I don't have anything at this time.

23 CHAIRMAN:

24 Representative Barbin?

25 REPRESENTATIVE BARBIN:

1 I have a question. The whole purpose of
2 this thing was try to make sure that volunteer fire
3 companies continue on in the next hundred years. And
4 there's no doubt that there's less people in the
5 volunteer fire companies. I think just from the
6 anecdotal numbers that were given today. What I'm
7 wondering is, you know, the difference and why it's
8 just volunteer fire companies is because you have
9 these savings that if you don't --- if we don't do
10 something about it right now, these savings that you
11 say are \$2,300 --- \$2.3 million for the township
12 because you have a volunteer versus a paid fire
13 fighting staff. That would --- that's what taxpayers
14 will have to pay if it's more like York.

15 Okay. How do you come up with this \$2.3
16 million savings, because I think that's the key?
17 That's what makes you different than the Kiwanis Club
18 or the church or anybody else, is that this is a
19 public safety service, so if you could explain how you
20 come up with that so that we can use that for --- you
21 know, to convince people, this is something we have to
22 have in communities large or small, because it's a
23 direct tax savings.

24 SUPERVISOR HELLELFINGER:

25 Well, you know, I think that's very

1 important, because you also have to look at level and
2 quality. With all due respect to our neighboring city
3 of Johnstown, they have nine professional fire
4 fighters on duty right now, maybe, if there's not
5 vacations or illness. Serving a residential
6 population of 23,000, and I'm not sure what their
7 transient is. Richland Township at times can get ---
8 their transient can go as much as 80,000. Okay. When
9 you take into shoppers and businesses. When I quote
10 13,000, you guys, that's purely residential. And
11 again, that's a ten year old statistic.

12 You really need to go, when you go ---
13 and again, these guys have been kind of drawn into my
14 past life when they reference Hampton Township,
15 Cumberland County, et cetera. When you look at some
16 of those, the population --- look at police budgets
17 guys. Fire and police almost mirror each other. So
18 in Richland Township I think we're close to \$2 million
19 of our budget, \$1.5, \$2 million is roughly police
20 protection if you want to do it right. If you want us
21 to throw a firehouse in the middle of your community,
22 put four guys on duty, say you got a paid fire
23 department, I don't know, maybe it will cost you
24 \$900,000 a year.

25 So Bryan, it's very important that you

1 understand that using that number is also based on the
2 level of quality that you want to get. It was ten
3 minutes of 10:00 I believe when you called me. With
4 all due respect I didn't take your call because I was
5 in the process of taking off my shirt and getting in
6 fire gear. Okay? We pulled 15, 20 guys, 5 of which
7 were on the clock so to speak. But still, we have
8 developed a system here where business professionals
9 participate. We have young college people and the
10 people that participate.

11 So Bryan, to show the cost savings, it
12 really is completely relevant to the quality of
13 service that you want to provide to your community.
14 You might have somebody say oh, but he's cool with the
15 \$2.3 million. Again, if you want to be served by one
16 fire department, one fire engine and four guys.
17 That's a hell of lot less than \$2.3 million; wouldn't
18 you agree? So that really is determinate on the
19 quality that you expect. I expect at ten o'clock in
20 the morning --- which is unheard of anywhere, Hampton
21 Township, Borough of Carlisle, Hempfield Township, I
22 expect here in Richland Township at ten o'clock in the
23 morning to have 15 guys and three to four pieces of
24 equipment on the street. That's going to cost
25 Richland Township \$2.3 million a year. Do you follow

1 me there?

2 REPRESENTATIVE BARBIN:

3 Go ahead.

4 SUPERVISOR HELLELFINGER:

5 More possibly. Yeah. More. I'm going
6 to say the City of Johnstown has nine guys, three fire
7 trucks roughly \$2 million. So what do you expect,
8 what do you want on your return on investment? So
9 arguably, that number will fluctuate based on your
10 expectations.

11 REPRESENTATIVE BARBIN:

12 Thank you.

13 CHAIRMAN:

14 Thank you, Mr. Heffelfinger, for your
15 information ---

16 SUPERVISOR HELLELFINGER:

17 Thank you.

18 CHAIRMAN:

19 --- and for your testimony. And I want
20 to thank all the testifiers today. This is why we
21 came and why we're here to listen to the concerns on
22 House Bill 243. We will take all of your comments
23 into consideration as we move forward.

24 We have a couple other little small
25 little items we're dealing with in Harrisburg these

1 days and maybe we can --- after we get that thing
2 resolved, that thing called the budget, we can tackle
3 some of the other issues that are very important
4 organizations like you represent here today. So
5 without any further comments, I will call this Gaming
6 Oversight Committee to an adjournment. Thank you one
7 and all.

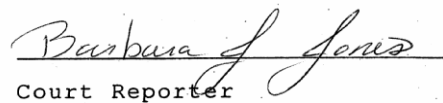
8 * * * * *

9 HEARING CONCLUDED AT 11:30 A.M.

10 * * * * *

11
12
13 CERTIFICATE

14
15 I hereby certify, as the stenographic
16 reporter, that the foregoing proceedings were taken
17 stenographically by me, and thereafter reduced to
18 typewriting by me or under my direction; and that this
19 transcript is a true and accurate record to the best
20 of my ability.

21
22 
23 Court Reporter