

HOUSE VETERANS AFFAIRS
AND EMERGENCY PREPAREDNESS COMMITTEE

IN RE:)
House Bill 2562)

Heinz Field Media Room
100 Art Rooney Avenue
Pittsburgh, PA 15212
Wednesday, September 19, 2012
at 10:04 a.m.

BEFORE: STATE REPRESENTATIVE FRANK A. FARRY

TRANSCRIPT OF PROCEEDINGS

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COMMITTEE MEMBERS PRESENT:

- Frank A. Farry
- Chris Sainato
- Harry Bucher
- Bryan Barbin
- Rick O'Leary
- Sean Harris
- Jim Marshall
- Mark M. Gillen

Reported by:
Amanda M. Murphy
Court Reporter

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1 Pennsylvania on August 14.

2 Title 35 contains the emergency management
3 services code which governs how PEMA functions and
4 provides a framework for how the Commonwealth and our
5 local governments prepare for and respond to disasters.

6 The General Assembly last updated Title 35 in
7 1996. Since 1996, there have obviously been significant
8 events and new federal law changes that necessitate
9 updating Title 35.

10 I would like to personally thank the City of
11 Pittsburgh and their Office of Emergency Management for
12 the arrangements for this beautiful facility today as well
13 as our tour yesterday. Large public venues such as this
14 are obviously an important part of emergency planning and
15 preparedness. Later today after the hearing, we're going
16 to actually be examining the emergency preparedness for
17 this facility.

18 I must disclose I'm from Eastern
19 Pennsylvania, and I'm, therefore, an Eagles fan. I've
20 been having six Lombardi trophies rubbed in my face. So
21 that's the end of my football comments. Although, I did
22 take solace in the first round of the hockey playoffs last
23 year. Sorry, folks. I just had to throw it out there.

24 We do have an excellent panel of testifiers
25 here today. I do want to thank you for your

1 participation. Each panel is allotted 20 minutes for
2 their presentation, and a question-and-answer period will
3 follow. As a reminder, if you can please put your cell
4 phones on vibrate, as this hearing is being recorded.
5 With that, I'll turn it over to Chairman Sainato.

6 MR. SAINATO: Thank you, Chairman Farry. I
7 would just like to welcome everyone here today. This
8 is -- as Chairman Farry said, this is our third set of
9 hearings on Title 35. We've had some very active hearings
10 on this. I think we got a lot of great information. I'm
11 just pleased to see the Committee come to
12 Western Pennsylvania.

13 I am the Democratic Chairman of the
14 Committee, and my District is about an hour from here up
15 in Lawrence County; and I have a small section in
16 Beaver County. So it's great to have the Committee come
17 to Western Pennsylvania.

18 It's great to see Secretary Cannon with us.
19 He gave some great testimony in the last two hearings, and
20 I'm sure that today is going to be just as good for the
21 people that are here; and I would like to, you know, just
22 thank everybody who came in for this hearing, because this
23 is a very important piece of legislation. It has been
24 said we've been working on this for five years, and
25 hopefully soon we can get this issue resolved with

1 everybody on board to do what needs to be done to make it
2 right for our Council, because it hasn't been updated in I
3 think, what, 20-plus years. So we've had a lot of things
4 change over those ten years. So with that, let's start
5 the hearing.

6 MR. FARRY: Okay. Before we begin, I would
7 just like to have my colleagues, as well as staff,
8 introduce themselves. We're going to start to my left
9 with Representative Gillen.

10 MR. GILLEN: Representative Mark Gillen from
11 Burks County. It was about a four, four-and-a-half hour
12 drive in the rain yesterday morning. I'm pleased to be
13 here. Thank you for the exceptional hospitality you've
14 shown us already.

15 MR. MARSHALL: Good morning. Representative
16 Jim Marshall representing the people of the 14th District
17 in Beaver County.

18 MR. HARRIS: Sean Harris, research analyst for
19 the Committee.

20 MR. O'LEARY: Rick O'Leary, executive director
21 for the Committee.

22 MR. BUCHER: Harry Bucher.

23 MR. BARBIN: Bryan Barbin. I represent the
24 Johnstown area of the 71st District.

25 MR. FARRY: Thank you. Thank you for coming

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1 here today. Our first testifier is PEMA director,
2 Glenn Cannon. Director Cannon, thank you for taking the
3 time to be here; and thank you for the efforts of yourself
4 and your agency on a day-to-day basis. You may again.

5 MR. CANNON: Thank you, Representative.

6 Chairman Sainato, Representative Farry, Members of the
7 Committee, I am Glenn Cannon, director of the Pennsylvania
8 Emergency Management Agency; and I do thank you for this
9 opportunity to be before you today to discuss
10 House Bill 2562, which will amend the emergency management
11 services code commonly referred to as Title 35.

12 And as Chairman Sainato mentioned, it has not
13 been revised since before the first 9/11 attack or the
14 first New York Trade Center attack in 1993, the 9/11
15 attack, or Hurricane Katrina. So there are significant
16 changes that need to go on there.

17 We have testified in the other two hearings,
18 and we have submitted a written copy of that testimony for
19 you. I won't go through that again. But what I would
20 really like to do is welcome the Committee to my great
21 hometown of Pittsburgh and to Heinz Field, the home of the
22 Pittsburgh Steelers.

23 Representative, sorry. Look around you. The
24 Steelers have won more Superbowl titles, six, and more AFC
25 championship games than any other AFC or NFC team. You

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1 may have noticed that the street name for Heinz Field is
2 Art Rooney Avenue. Few in this city are talked about with
3 as much reverence as Mr. Rooney.

4 A large part of the reason he is so revered are
5 the countless number of things he did for so many people
6 and organizations in Pittsburgh. That spirit of giving
7 back to the community and public service is what so many
8 of our first responders and emergency management workers
9 do on a day-to-day basis. We owe it to them to move this
10 legislation forward and get it enacted in the near
11 future. I thank Chairman Barrar, Chairman Sainato, and
12 the many members of the Committee that have cosponsored
13 this Bill for giving us that opportunity.

14 As I said, the statement has already been
15 submitted; so I won't go through that. But I do want to
16 comment a little bit about the process we've gone
17 through. The first is with any piece of legislation that
18 is as lengthy and comprehensive as this, I'm sure there
19 are some matters to which stakeholders may want to make
20 some additional changes.

21 At the first two hearings and the last team of
22 board meetings, several changes were recommended. For
23 example, KEMA raised -- the Keystone Emergency Management
24 Association raised two changes regarding the regional task
25 forces that it felt were appropriate to the legislation.

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1 PEMA concurred with those changes and has drafted language
2 to address those issues.

3 In addition, at a recent meeting, the City of
4 Pittsburgh also raised an issue related to the task
5 forces. You're going to hear more from them about that
6 issue. But, essentially, the task force structure is
7 county-based. We have nine regional task forces made up
8 of member counties, but Pittsburgh has been treated like a
9 county from the very beginning of this process because it
10 was designated by the United States Department of Homeland
11 Security as an Urban Area Security Initiative region, a
12 UASI region.

13 The Department of Homeland Security has now
14 reduced the number of UASIs to the ten largest urban areas
15 in the country. So Pittsburgh will be losing its UASI
16 designation and the UASI funding it received. So we had
17 Philadelphia and Pittsburgh. Now we will just have
18 Philadelphia.

19 Therefore, we should look to language to
20 maintain how Pittsburgh has been treated in the task force
21 structure. It's through no action of Pittsburgh that they
22 are no longer the UASI region.

23 The bottom line as we move forward is that PEMA
24 is open to any change that makes this legislation better.
25 I do believe that when this legislation is finalized, that

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1 it will have broad and strong support from the
2 stakeholders.

3 Second, as the Committee has noted, the issue
4 of emergency communications is critical during disasters.
5 We need to make interoperability of communications a
6 priority in the Commonwealth at all levels. Any band, any
7 brand needs to be the goal regarding emergency
8 communications. And by that, I mean any frequency band,
9 800, 700, BHF, UHF, low band, or any brand. I don't care
10 who makes the radio. They need to be able to interoperate
11 and communicate.

12 And when you look at how difficult it is, the
13 majority of the fire service in Pennsylvania is provided
14 by volunteers. To ask them to replace all of their radios
15 is an exorbitant amount of money for them to come up with
16 through fairs and bingos and game cards and all the ways
17 they raise money. So we need to work on solutions that
18 allow interoperability.

19 It's not enough to have the tasks that our
20 first responders have to do, but we need to have our first
21 responders be safe when they do that job. And I've often
22 asked the question in a room full of folks: How many of
23 you went to work this morning and wondered if you were
24 going to come home at the end of the day? First
25 responders go to work; and in many cases, they don't come

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1 home at the end of the day. And communications can make
2 that difference between life and death. That's how
3 critical interoperability is. And for 15 years, we have
4 languished in Pennsylvania.

5 In addition, as I have said many times, 911 is
6 the backbone of the emergency response network. It's
7 where the public comes together with its government when
8 it needs helped.

9 In Pennsylvania last year, we answered
10 collectively over 9 million 911 calls. As you know, the
11 Legislative Budget and Finance Committee issued a 189-page
12 report in May entitled "Pennsylvania's 911 Emergency
13 Telephone System," funding expenditures and future
14 challenges and opportunities.

15 If you have not already done so, I strongly
16 urge you to read that report. It rings the alarm bell
17 that we urgently need to fix the current system. PEMA is
18 working on the long-term rewrite to the current 911 laws
19 to address the issues in that report, and the current 911
20 Bill is 22 years old. So think about how much technology
21 has changed in the last 22 years.

22 In the short term, there may be a chance to
23 amend House Bill 1020 and a way to stop the bleeding in
24 the short-term and move us toward a more efficient 911
25 network. We've been working with Committee staff and 911

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1 stakeholders, including the County Commissioner's
2 Association of Pennsylvania, to see if we can get an
3 agreement on an amendment and move it through the House
4 and the Senate before the session ends.

5 Third, PEMA has worked extensively with the
6 Pennsylvania Department of Labor and Industry to ensure
7 that workers' compensation coverage for emergency,
8 management volunteers, and workers is available in the
9 event they're hurt or tragically injured and killed during
10 a response.

11 Since this is a very important matter, if there
12 are any additional things to consider, PEMA welcomes the
13 opportunity to discuss them. The overarching goal of the
14 amendments to Title 35 is to provide a more efficient and
15 effective way for the Commonwealth and local governments
16 to prepare for and respond to all hazard disasters.

17 As our new PEMA motto states, hope is not a
18 plan, and failure is not an option, because when our
19 activities fail, it can cost people's lives. I believe
20 the proposed changes to Title 35 will further enhance
21 emergency management capabilities across the state,
22 county, and local levels. The end result of enacting this
23 legislation is that the citizens of our Commonwealth will
24 be better protected in the event of a future disaster or
25 emergency.

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1 I wanted to note to the Committee that
2 Pittsburgh is the birthplace of the first firefighters
3 union in the country, Local 1 of the International
4 Association of Firefighters. It's also the birth place of
5 the Fraternal Order Police Lodge 1, the first FOP chapter
6 in the United States. We take public safety very
7 seriously in Pittsburgh, and it kind of comes through,
8 hopefully, in the things that we talk about.

9 Mr. Chairman, I thank you again for introducing
10 this Bill and all of your leadership on this matter.
11 Again, I thank Chairman Sainato and the many Members of
12 the Committee that have cosponsored it.

13 When Governor Corbett offered me the job as
14 PEMA director, he made it clear that his administration
15 would make a very strong commitment to public safety for
16 all the citizens of Pennsylvania. He has followed through
17 on this commitment, and this rewrite of Title 35 is
18 another important step in further enhancing public safety.

19 On behalf of Governor Corbett and the
20 12 million Pennsylvanians we serve, I also thank the
21 Members of this Committee for your continued support of
22 PEMA and our partners in public safety across this great
23 state. I believe that with the Governor's commitment and
24 your support of our mission, PEMA will continue to move
25 forward and will become the premier emergency management

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1 agency in this nation.

2 I appreciate the opportunity to be with you
3 today, and I'll be happy to answer any questions you may
4 have of me. Thank you very much.

5 MR. FARRY: Thank you, Director Cannon. I do
6 have a couple questions for you. Concern has been raised
7 regarding funding for EMA coordinator training. Can you
8 update us or inform us what federal funding is out there
9 for such training and how much?

10 MR. CANNON: What has happened is that in the
11 last two years, in each of those years, our money from the
12 federal government has been cut 50 percent. As you may be
13 aware, that money that comes from the federal government
14 for those purposes, 80 percent of it is passed through our
15 task forces out to our counties and our local governments
16 for things like training, equipment, planning purposes.
17 So it's becoming increasingly difficult to meet those
18 needs.

19 Additionally, there is another small pot of
20 money called "Emergency Management Program Grant Money,"
21 and that's the money that we use to pay 50 percent of the
22 salary of our county emergency management coordinators;
23 but, essentially, the bulk of that money goes to pay those
24 folks.

25 Another thing that has happened, but with your

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1 support and the governor's support is getting better, is
2 that when I arrived at PEMA in January a year ago, the
3 agency was so understaffed and underfunded that we were
4 essentially nonmission-capable. And so immediately we
5 went into the budget process to increase the amount of
6 people and staffs. And the area that had been gutted
7 significantly was the training area. I had one person in
8 training that was left after that.

9 So we're looking at ways to improve training
10 utilizing the funds that we presently have available and
11 doing more -- again, using technology, bringing more
12 training to more folks and regionalizing training
13 activities. So it is an issue. There's absolutely no
14 doubt about it. And it all started with the federal
15 government's decision to cut those funds.

16 MR. FARRY: Okay. Thank you. A couple other
17 questions. We heard testimony when we were in
18 Delaware County regarding Representative Delozier's
19 House Bill 2120, which is the Uniform Volunteer Health
20 Practitioner's Act. What is PEMA's opinion on amending
21 the language of that Bill or something similar and to
22 rewrite what we're doing now?

23 MR. CANNON: I don't believe that -- we have
24 not taken an official position yet. If you would give me
25 the liberty, I would like to speak about it just for a

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1 second.

2 MR. FARRY: Absolutely.

3 MR. CANNON: I've been a paramedic since the
4 early 1970s, and I've also watched what has happened in
5 the volunteer fire service as we continue to make it so
6 difficult that people cannot volunteer anymore. I have a
7 great concern that we will force people out of the
8 volunteer EMS sector if we make those requirements so
9 stringent.

10 Pennsylvania has a great system of certifying
11 paramedics today. As I understand that Act, it is to use
12 national certification as a new standard to be paramedics
13 in Pennsylvania. I think we need to be very cautious to
14 create situations that cause people to leave the business
15 that they're in and leave communities without volunteers
16 to do that work.

17 In Pennsylvania probably 20 years ago, we had
18 over 300,000 volunteer firefighters, many of them which
19 are also EMS providers. By the fire commissioner's
20 estimate, we have less than 60,000 volunteers in
21 Pennsylvania today. Excuse me just a second.

22 MR. FARRY: Sure.

23 MR. CANNON: I had the wrong issue. He tells
24 me -- he's telling me the issue you raised was interstate
25 mutual aid. We support that, absolutely. And if you've

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1 been a state-certified paramedic in Ohio and we have a
2 disaster, we hope you come help us. Likewise, we have
3 offered that to folks in New York, West Virginia, and
4 New Jersey.

5 And during the flooding, we actually sent
6 50 ambulances from Pennsylvania to New Jersey to evacuate
7 hospitals along the coastline, every one of them able to
8 do their practice. So there are two issues. One is the
9 health department issue, and the other one is the one you
10 raised. Thank you.

11 MR. FARRY: My final question was when we were
12 in Delaware County, we had a very lively debate with the
13 Newspaper Association. Being a fire chief and emergency
14 management coordinator myself, the issue of
15 confidentiality came up. And, you know, can you just
16 explain so it's on the record the importance of keeping
17 planning and some of the aspects of Title 35
18 confidential?

19 MR. CANNON: Certainly there are -- if we take
20 the plans that we have for chemical facilities, hazardous
21 material facilities, certain plans related to nuclear
22 facilities of which, you know, we have five and nine
23 reactors, we have the second highest of any place in the
24 country other than Illinois that has 11. In that sense,
25 we need to have the ability to plan to protect those

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1 resources and not have that information out in the public
2 domain so that it falls into the hands of people that
3 would do harm to our communities.

4 Secondly, there's an issue about 911
5 confidentiality in certain situations. For people who
6 think that people that are calling about drug deals,
7 things they've seen, to have that exposed and think that
8 it would not be harmful to those people is not easy. So
9 we are supportive of your position in that sense that
10 there are some things in public safety that need to remain
11 confidential.

12 MR. FARRY: So to analogize in a basic place,
13 since we're in Steelers' country, the Steelers aren't
14 going to hand their playbook to the Baltimore Ravens.

15 MR. CANNON: That's a good analogy, especially
16 the Ravens.

17 MR. FARRY: Hey, we helped you out, though,
18 this week. With that being said, Chairman Sainato, do you
19 have any questions?

20 MR. SAINATO: I would just like to follow up a
21 little bit on what Chairman Farry said on the
22 confidentiality issue, things like that. I want us back
23 on the radio. That has always been a special one for me
24 because you were the one who brought that up. We sat down
25 with you when you became the director. Myself and

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1 Chairman Barrar met privately with you. I know that was
2 an important issue to you.

3 What do you see happening with that? Has it
4 gotten better now in the past year and a half with our
5 radio situation? Do we have plans to make it where, you
6 know, there's more uniformity amongst all the responders?

7 MR. CANNON: Actually, some things have gotten
8 worse, not as a result of anything we did in Pennsylvania,
9 but as a result of something that the federal government
10 did.

11 In wanting to build out a national public
12 safety broadband network and, Representative, a D block
13 700 megahertz system, they decided that they would auction
14 off a section of existing radio frequency to raise money,
15 auction it off to the private sector to raise money to
16 build that out.

17 What they didn't bother to do before they made
18 that recommendation -- or actually they put it into law.
19 The President signed it into law -- was ask the public
20 safety people in our country, how many use that radio
21 frequency; and if they auction that off and force public
22 safety off of it, then everybody that's on it has to go
23 buy new radios. And it's back to that issue that I told
24 you about; people don't have money to buy new radios, and
25 we don't have large grants to do that. So when I say in

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1 one case it has gotten worse, that's what I'm particularly
2 talking about.

3 We have an opportunity right now because of the
4 way we want to look at resolving the 911 issue and next
5 generation 911 to build a system -- tied together systems
6 within the Commonwealth into a broadband network we call
7 an ESInet, a public safety ESInet, that means Emergency
8 Services Internet, it's public safety grade, which means
9 it's 99 percent reliable. It's not Verizon and AT&T and
10 Sprint. It's different than that.

11 If we can accomplish that task in resolving the
12 issues for next generation 911, we can resolve the issue
13 for interoperability for Pennsylvania, because what
14 happens is kind of like the ads you see for iPhones and
15 iPads. Radio becomes an app. It's an application that
16 runs on the network.

17 And so we fixed a lot of issues for our
18 counties in the northern tier. Where the phone companies
19 have not built out cell phone coverage because it's not
20 economically feasible, we can sell time on our backbone
21 and let them build out and sell the service.

22 Our Marcellus Shale sites that now don't have
23 the ability to pick up a cell phone and call us so we
24 don't know where they're located, we can fix that
25 problem. So it hasn't changed a lot, but we're on the

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1 cusp of seeing some changes that can be a sea change. It
2 can really change the way we do business.

3 I was very fortunate to be involved in the
4 building of a statewide radio system in the State of
5 Florida where 17 state law enforcement agencies -- and I'm
6 talking about highway patrol, Department of
7 Transportation, Fish and Game, Wildlife officers, all of
8 those different state level law enforcement agencies, they
9 can all talk with each other today, every one of them.

10 If there are fires in Northern Florida and we
11 need help from Southern Florida, those people come up; and
12 they can use the radios they use every day to talk to the
13 firefighters along I-95 because they built a statewide
14 communication system that has an IP backbone; and
15 everything on it is just an application. So that's where
16 we need to get to.

17 And I think -- and it's what I was saying in
18 the beginning, that radios and communications are the
19 backbone of emergency response. There is no single
20 greater evidence of that than the second tower that
21 collapsed on 9/11 when the police department, 23 minutes
22 before the tower collapsed, gave notice to their guys that
23 the tower had started to lean and was glowing red hot.
24 The firefighters in the tower that day never got the
25 message because the communication from the police and the

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1 communication from the fire were two separate things.
2 They did not interoperate with each other.

3 23 minutes. Think how many guys could have
4 gotten out of that building if they had notice the way
5 that the police guys did. Look at the difference in the
6 numbers, 343 firefighters, 60 New York City Port Authority
7 and police officers. Communications made that
8 difference. So thank you, sir. I'm sorry. I get very
9 emotional about public safety and communications.

10 MR. SAINATO: I agree with you,
11 Director Cannon. I think communications is probably the
12 most important thing we need to focus on.

13 MR. CANNON: Thank you so much.

14 MR. FARRY: Thank you. Representative Gillen.

15 MR. GILLEN: Thank you for your distinguished
16 service, Director Cannon. I especially appreciate hearing
17 about your paramedic medical background. I never got
18 quite that far, emergency medical technician; but thank
19 you for the many lives I'm sure you saved.

20 If I could look macro just for a moment here, I
21 come from a municipality that has 3,000 people. We have a
22 borough council; and within the borough council, each one
23 of them has a full-time job on the outside. The mayor of
24 the small municipality is also employed full time, and we
25 have a borough secretary.

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1 I am admiring and, indeed, I've cosponsored
2 2562. When I go through some of the requirements and some
3 of the additional burdens and, perhaps, expenses to local
4 municipalities, I begin to think in my mind's eye of what
5 actually happens on the ground where we're at.

6 In your opinion, do we have the resources in
7 our local municipalities? I suspect not in our situation
8 with the limited tax base. And where do some of the
9 additional burdens fall with regard to requirements and
10 reporting? It's very forward-thinking. I admire the
11 direction of public safety and protection. But the
12 reality hits the ground in some of our small
13 municipalities. It becomes very difficult in terms of
14 implementation. Can you speak to that?

15 MR. CANNON: Yes. And it is difficult, and we
16 have taken steps since we arrived to lessen that burden.
17 I will tell you the very first one. When we arrived,
18 there was being developed a new training certification
19 program for local coordinators, the very folks you're
20 talking about. Those are the people that are in each --
21 in Pennsylvania, each one of our local 2,600
22 municipalities has to have an emergency management
23 coordinator. You have to have three things. They have to
24 have an emergency management coordinator, an emergency
25 operation center, which can just be their office, a place

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1 where they do their business, and a plan, and a plan for
2 emergency operations on how they're going to initiate when
3 something bad happens; but the way our system is -- well,
4 I'll go back to the certification.

5 What was being designed was a system that was
6 going to -- now, they don't get paid to do that job. And
7 so it was going to be extremely difficult to get them
8 certified; and the people that were designing the
9 examination for that to get them certified as local
10 emergency managers were doing that on purpose. When we
11 arrived and we started to hear the chatter from all the
12 local governments on, "What are you doing to us," we had
13 to find out what was going on.

14 When we brought the people into our office --
15 and this was really Chief Full. I mean, he picked this up
16 immediately when he came, having been Allegheny County's
17 emergency management coordinator for 15 years.

18 As it turns out, when we interviewed our staff
19 who had been there, who were working on this project, they
20 said, "We wanted it to be the hardest program we could
21 find in the United States," and they picked one out of
22 New Mexico; and so the chief's point to them was, "This is
23 Pennsylvania. We don't need New Mexico to tell us how to
24 do that."

25 We stopped the program in its tracks and

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1 rewrote the program so that we can meet the needs of local
2 government without forcing another group out of the
3 business of helping. All right.

4 I would tell you this, that when I arrived at
5 PEMA, I was the fourth person in the agency that had ever
6 really been an emergency management coordinator.
7 Chief Full was the fifth person. So we had people making
8 rules in our agency for people that do this work every day
9 that never walked in the shoes of those individuals, and
10 they didn't care whether they were driving them out or
11 not.

12 We found something else out in our agency that
13 just was amazing to us. If you apply for a job in our
14 agency today and you are a firefighter or a police officer
15 or a paramedic and you've never been an emergency manager
16 someplace, you're automatically disqualified. Your
17 application goes no further in the civil service system.
18 So we are doing things like that to change for local folks
19 and to help them. So we've made it easier for them to
20 stay in their business.

21 Second is, we are automating the systems so
22 that when they do their plans, they can bring it up on the
23 computer; and it's a template, and all they have to do is
24 fill it in and shoot it into the county and to us so that
25 it can be approved. So we lessen the amount of work and

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1 time that it takes.

2 The third point is that the way our system is
3 designed is it starts at the local level, but,
4 immediately, they can call for help from the county and
5 then from us. We have a philosophy now at PEMA, as you
6 saw -- same philosophy I had at FEMA, I'm sorry, at FEMA
7 is leaning forward because it's our belief that if you
8 wait until bad things happen, you've lost already.

9 So when we hear that one of our local
10 communities is in trouble, then we are already putting
11 mechanisms in place to get aid to those individuals. So
12 we're changing the way we do business to help locals
13 because we know how hard it is for them to do their job.

14 MR. GILLEN: I appreciate that perspective a
15 great deal. Having sat in on other hearings, even at a
16 federal level and the MS4s and what's coming to
17 municipalities, there's multiple stratas of mandates. And
18 not only are they not able to afford some of the mandates
19 logistically, having a secretary in a borough office who
20 functionally becomes the borough manager, if you will,
21 having heard from some of those individuals, personally,
22 not with regards to the mandates of your specific
23 agency -- I'm hearing very good progressive things, but
24 I'm gathering there's a higher sensitivity under your
25 administration to the burden that's being placed on local

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1 municipalities.

2 I think setting the bar is appropriate, but
3 providing some of the training and resources is also a
4 mandate that we ought to take ourselves very seriously.
5 So thank you for your testimony.

6 MR. CANNON: Yes, sir. Thank you.

7 MR. FARRY: Thank you. Representative Barbin.

8 MR. BARBIN: Thank you. I would like to
9 follow up kind of on the volunteer fire aspect of what we
10 can do with this Bill to kind of address the main
11 problem. I was at a car show this weekend, and I was
12 talking to a small volunteer fire department. In our
13 county, we have a county emergency plan; and we have a
14 couple people working in the center.

15 But what happens sometimes in big storms is we
16 have a microwave, because we're one of those rural
17 counties; and when the microwave goes out, we're now -- we
18 can't speak at all. So what I'm -- and then what happens
19 is you go back to each of the groups having their own
20 different systems on the 400 band, and no one can talk to
21 each other.

22 Now, what the county has decided to do is to
23 say if we see something come forward, coming at us, high
24 winds are coming from Pittsburgh, they're moving up
25 towards Johnstown, we're going to alert the volunteer fire

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1 companies that we may lose power.

2 Now, to me, that needlessly puts -- you know,
3 we used to have 300,000 volunteer firemen. Now we have
4 60,000. Now you're going to tell somebody who's providing
5 a \$6 billion benefit to the taxpayers of Pennsylvania they
6 got to go to their fire station because the system might
7 go out and they need to be there just in case somebody is
8 going to call them.

9 Now, to me, that says two things, and I'm
10 just -- I'll get -- my question will be: How do we fix
11 it? To me, it says, number one, we didn't have standards
12 in place; and the systems that we put in place up to now
13 are problematic. Ours is a problem because it's based on
14 equipment that has to be sent back to Czechoslovakia to
15 fix. But if you don't have the right maintenance
16 agreement, you only get, you know, a Band-Aid. You don't
17 really have any ability to make sure that stays up and
18 running.

19 The second problem is each of the volunteer
20 fire departments have their own different set of rules
21 equipment. So what can we do in this Bill, number one, to
22 make sure that any equipment that's purchased going
23 forward has to meet some state standard so that it will be
24 interoperable?

25 And then, number two, what is your position

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1 about -- we had another Bill in the Veterans Committee,
2 and that was to change the amount that would be going to
3 the volunteer fire departments and, for the first time,
4 professional firefighters another \$2,000 or \$3,000.

5 The Bill that was originally written by this
6 Committee was not going to change it by \$5 million to be
7 distributed across the state. It was going to change it
8 by \$15 million. Now, we were told that there wasn't
9 enough money to do that. What I'm looking at is why
10 doesn't it make sense to take that back to at least
11 \$40 million so that the volunteer fire companies and the
12 policemen can actually upgrade some of their equipment
13 that would be interoperable, and why isn't that our
14 highest priority at this point since we all know that the
15 systems that were purchased weren't really interoperable?
16 And that was the problem of 911.

17 MR. CANNON: A couple different parts to your
18 question. Radio systems were not interoperable because
19 radio vendors didn't want them to be interoperable.
20 Today, interoperability is not a technology issue. It's a
21 governance issue. And for years, radio companies actually
22 perpetrated a great hoax on public safety when they talked
23 about an APCO standard that was going to allow different
24 radios to talk to each other. You may hear for P25 as a
25 way for common interoperability.

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1 But what they didn't tell people was that when
2 you were buying those new digital radios, each of them has
3 a control channel that makes that thing operate. And so
4 Motorola's control channel operated at a different speed
5 than Harris' control channel, and there was no way they
6 were ever going to be able to communicate with each
7 other.

8 Back in the days when we had analog radios, it
9 was pretty easy to interoperate as long as people were in
10 the same frequency band; but people without any standard
11 or guidance made local decisions on the best way to buy
12 local radios.

13 If I would show you a map of Pennsylvania with
14 the counties in it with a different color for each
15 frequency band that was used, you would see four or five
16 different colors across the Commonwealth. It looks like a
17 rainbow of communication frequency for Pennsylvania. You
18 can't have interoperability that way.

19 If we're able to move forward on the broadband
20 network, again, it won't matter what radio they have,
21 whether it's digital or analog. Let's take your
22 400 megahertz analog radios that those fellows use in the
23 fire service. Once you've got the backbone in place, what
24 happens is that you take that radio signal, and you
25 digitize it; and you give it an IP address, and now it

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1 goes onto the IP backbone, and you can route it to
2 wherever you want it to go.

3 If Allegheny County comes on and they're on 460
4 and you're on 400, we can still have them talk with each
5 other because we create what are called "virtual talk
6 groups" to allow that to happen. You can do that all the
7 way up. You can do that with 700, with 800, with 900, all
8 the way down.

9 So, essentially, think about it as you build
10 this backbone, and it's like a cloud; and the message goes
11 in, and it's connected, and it comes out the other way.
12 We can fix that.

13 Now, for Cambria and Johnstown in particular,
14 you're part of a project called WestCORE, and WestCORE is
15 a pilot program in Pennsylvania. It now involves 13
16 counties in Southwestern Pennsylvania that is taking bits
17 of backbone that had been built and isolated in linking it
18 together, so that if you lose communication capability in
19 this direction because you've lost power, you can go the
20 other way in the loop and still operate.

21 And so there's going to be a solution soon for
22 Cambria County. There is a solution soon for eight or
23 nine counties in Northwestern Pennsylvania. If we look at
24 that, we've got a third of our Commonwealth then involved
25 in broadband communication for next generation 911, but it

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1 solves the interoperability problem. We need to move that
2 across to the center and to the east.

3 In terms of the fire issue, I really would have
4 some difficulty addressing that without the fire
5 commissioner and without talking to him first. But I
6 think the thing that we see is that whatever it is, we
7 need to incentivize people for volunteering and for
8 participating. I don't have specifics on how we would do
9 that. I know the fire commissioner puts a lot of time and
10 energy into that.

11 MR. BARBIN: I appreciate that answer, and it
12 makes sense. What I'm worried about, though, is we have a
13 system because of what has happened in the past that has a
14 microwave that goes from the emergency system out to the
15 towers. So if there is a problem there, we don't have any
16 backup. We can't send another microwave to another tower
17 to make the circle.

18 So what I'm really asking is: We had
19 additional monies going out for these groups when we had
20 the \$40 million number as opposed to -- or an additional
21 \$15 million. The Gaming Act provided for \$25 million for
22 the volunteer fire.

23 MR. CANNON: Oh, for the fire grants?

24 MR. BARBIN: Right. We raised that with the
25 budget by \$5 million. The Bill that was in the Committee

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1 said we were going to raise it by \$40 million. What I'm
2 wondering is, would you go back to the governor or the
3 administration and find out if he would be willing to go
4 to that \$40 million number, because then we would be able
5 to hand out additional monies to the volunteer fire
6 companies to maybe solve their worse problems with
7 interoperability.

8 And the other thing would be the question of
9 where can that second repeat -- or in order to make the
10 counties' emergency management systems more interoperable,
11 what monies are available to purchase that second piece of
12 equipment?

13 We got a piece of -- a microwave receiver that,
14 if it's okay, it makes the loop work. But if that piece
15 of equipment goes down, then we're out of luck. So what
16 we need is -- and I imagine there are other counties that
17 are on the same sort of basis. How do we get the money to
18 pay for that second microwave receiver that sends out to a
19 different tower so that if the loop goes down in one way,
20 we can get it out in a different direction?

21 MR. CANNON: I understand your point, correct.
22 And it's a matter of building some redundancy into the
23 network.

24 MR. BARBIN: We need some -- but it's the same
25 thing that you have. The federal government cuts your

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1 training budget. State budget cuts the county's budget,
2 and we're left in a position where we're very vulnerable
3 for a fire -- a local fire at -- that fire company might
4 be out if that system goes down. We won't be able to get
5 ahold of any of the volunteer firemen.

6 MR. CANNON: Let me check and see. It could
7 be that the effort that we're doing with WestCORE may, in
8 fact, be the redundancy that Cambria County needs; and we
9 can do it through a link rather than building a new
10 microwave hop. So let me check on that.

11 MR. BARBIN: Thank you.

12 MR. CANNON: Thank you.

13 MR. FARRY: Okay. If there's no further
14 questions, Director Cannon, thank you for your time and
15 your reference on this piece of legislation.

16 MR. CANNON: Thank you, sir, so much.

17 MR. FARRY: Our next testifier is Roy Shipley,
18 who is the western president of the Keystone Emergency
19 Management Association. Mr. Shipley, take a seat, and
20 please begin.

21 MR. SHIPLEY: Good morning. I'm Roy Shipley,
22 the direct of the Fayette County Emergency Management
23 Agency. And I also serve as the western region president
24 for the Keystone Emergency Management Association, better
25 known as KEMA, which I believe they testified at both the

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1 other hearings.

2 I've been involved in emergency management
3 since 1977, having first started and spent 14 days in the
4 Johnstown area at the Scalp Level Fire Department manning
5 their fire department during the Johnstown floodings.

6 I've been the director of the emergency
7 management for Fayette County since 1987. So updating
8 Title 35 has been a KEMA priority for many years dating
9 back to 2005 when KEMA hosted a joint workshop with PEMA
10 in State College.

11 The goal of the workshop was to develop a plan
12 to revise Title 35, the emergency management service code,
13 and Act 227 of 2002, the counter-terrorism planning,
14 Preparedness and Response Act, which, among other things,
15 formalized the nine regional task forces across the
16 Commonwealth.

17 Mr. Ed Atkins at that time, the director for
18 Chester County, was elected as the chairman of the KEMA
19 committee for the rewrite. Mr. Atkins and Mr. Wes Hill,
20 our current KEMA president, are both working with PEMA;
21 and the emergency management stakeholders have worked
22 diligently over the past years to refine and keep Title 35
23 as a priority for us in the emergency management field.

24 And with that, I would like to just talk about
25 a few of the highlights of the things that I think are key

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1 in the legislation updates, the first being the
2 regionalization of emergency services. It has been a
3 topic of discussion over the past years with the
4 never-ending decrease in funding as we've just been
5 talking about here this morning and all levels of
6 government and the decline of volunteers willing to serve
7 in our communities.

8 The approach outlined in House Bill 2562 will
9 provide the basis and direction for regionalization of
10 emergency management activities while still allowing for
11 those municipalities to have oversight.

12 Regionalization can be a valuable tool in
13 helping counties and locals maintain services that the end
14 result will be to continue to protect the lives of the
15 properties of their citizens and their municipalities.

16 And with that regionalization -- we've seen
17 that in police departments and other agencies; and I think
18 with the regionalization of some of the smaller
19 municipalities, with their emergency management
20 operations, would be a key benefit.

21 Workmans' compensation. The proposed
22 House Bill will provide more comprehensive workmans'
23 compensation coverage to the duly-enrolled emergency
24 management volunteers. Many of our emergency management
25 programs rely heavily on volunteers. They routinely are

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1 out there putting their life in harm's way, and personal
2 safety for them is utmost; and I think the Bill addresses
3 that workmans' compensation issue that is key for them so
4 that we can assure the volunteers that, you know, they're
5 out there every day volunteering in their community as
6 emergency management volunteers, that themselves and their
7 family will be protected. God forbid if they would get
8 injured or result in their death. I think that's a key,
9 that we need to continue to look at that piece of the
10 legislation to keep that workmans' comp issue updated.

11 Duties and responsibilities. The proposed
12 House Bill includes language that clarifies the actual
13 duties and responsibilities of the county and municipal
14 emergency management organizations. This is vital to the
15 county and local elected officials in appointing
16 coordinators, and it gives them a direction to go.
17 They're not out there freelancing. It gives them set
18 guidelines to go by and to reference.

19 And when a local elected official says, "Well,
20 you know," to his constituents, "Why do I have to do
21 this?" Well, it's outlined in the law. It gives them
22 some blueprint of where to go, and I've been on that
23 table. I've been a local elected official also in a small
24 borough in Fayette County. I think that's key to the
25 local elected official when they're going to do something,

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1 they have the justification of why they have to do it.

2 You know, "Why are you doing this?" It's just
3 not that they're protecting the citizens and their
4 property and their community, but it's also we're playing
5 into the bigger picture with the whole emergency
6 management and bringing it into the Commonwealth. You
7 know, we're all in it together.

8 Information sharing. The proposed House Bill
9 addresses the collection, validation, and the prompt
10 sharing of all hazard information by public enemies. This
11 is a key element in the planning and preparedness process
12 to be able to share vital information in a timely manner
13 with those who need it.

14 Information sharing, planning, preparedness is
15 key in whatever event that we're doing. And as
16 Director Cannon said, leaning forward, making that
17 preparedness and have that plan in place to lean forward
18 and to be prepared for whatever task that we need to
19 address in emergency management.

20 The proposed House Bill contains needed
21 language, which I believe strengthens the planning process
22 for the dependent care facilities and states that it
23 should be coordinated with the appropriate county and
24 local emergency management programs and the dedicated
25 emergency response services in that community.

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1 Again, that's key that everybody plans
2 together, exercises together, knows each other before the
3 alarm sounds, you know; and that is a key thing that's
4 outlined in the draft.

5 If I may comment on a couple questions that you
6 had. Yinz talked about training. Here at Western
7 Pennsylvania and the City of Pittsburgh, Fayette County,
8 we belong to what we refer to as Region 13 Task Force,
9 which is made up of the counties in Southwestern
10 Pennsylvania.

11 And I've had the -- I don't know if I want to
12 call it the "privilege," but I've chaired the Region 13
13 Training Committee for the last six or seven, eight years;
14 and we've addressed all the concerns that you folks have
15 addressed here that are brought up about training for our
16 local responders, our local emergency management people,
17 and we see that with our decrease in funding from
18 Homeland Security and our decrease in funding across the
19 board.

20 Training is a big issue, and certification for
21 our local emergency management coordinators is a big
22 issue; and we've got that on the top of our plate for our
23 task forces, you know, to keep -- we want to spend our --
24 the limited funding that we have, to spend that in the
25 best possible way to make sure that our emergency

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1 responders are trained and certified to be able to do the
2 job when they're called to do it.

3 And we do go out and offer the training not
4 just to the county level but down to the local levels, to
5 our fire, police, and EMS response agencies, and include
6 our local emergency management coordinators. I think that
7 is a key. That's a very key issue, training, and to make
8 sure that they have the most up-to-date training that's
9 available for them.

10 Another issue that yinz talked about was the
11 communications, and Director Cannon had spoke about
12 WestCORE; and we utilized some of our DHS funding here in
13 Region 13 and bought a -- we call it a "switch," but it's
14 a P25 capable switch that different communication or
15 different counties can use -- share this electronic radio
16 communication switch.

17 The original counties on it were Westmoreland,
18 Armstrong, and Indiana; and I'm proud to say yesterday
19 that my Board of Commissioners voted to upgrade our
20 radio. We have a trunked 800 system in Fayette. It's an
21 analog system. They voted yesterday to undertake seven
22 and a half million dollars of county debt to upgrade our
23 system to a digital platform to be a part of this, what we
24 call, "iCORE." And that switch is available for all of
25 the counties in Southwestern Pennsylvania to utilize

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1 that.

2 But what does that mean to you guys? Well,
3 that means that if I'm in Fayette County and I'm called to
4 go to Indiana County to assist, that my guys can talk to
5 Indiana County guys, my guys can talk to Armstrong County
6 guys as they travel through.

7 There's no -- it's unnoticeable to the field
8 users, and that's the -- again, that's -- and they're
9 hoping to get Cambria hooked into that. Somerset is
10 looking at hooking into that. So those are some of the
11 things we're doing. Communications is a big piece, and I
12 think we need to keep that on the table at all times, that
13 we want everybody to be able to talk together.

14 And that plays in with what the director said
15 about the WestCORE and us building that broadband system
16 out in Southwestern Pennsylvania. That goes back to the
17 confidentiality things that were discussed, that we can
18 pass things that we need to share with the other counties
19 and the police and the emergency services, that we can
20 pass that along and have an avenue and a mechanism to do
21 that. And those are some of the things that are very
22 important, and we need to -- you know, that needs to be
23 moved out statewide, very important issues.

24 So in closing, I would just like to thank the
25 Committee for allowing me to express KEMA's support for

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1 House Bill 2562, and there has been extensive bylaw
2 throughout the process which has allowed us to be assured
3 that the proposed amendments represent the best of all our
4 combined thoughts.

5 The proposed amendments to Title 35 are
6 needed. They're long overdue. KEMA supports it, and I
7 would ask you to do whatever is possible to make these
8 changes into the law. And KEMA, as well as its
9 membership, stands behind you to support you in any way
10 possible; and I think you can see that support here today
11 from the various county emergency management directors
12 that have showed up here in support of House Bill 2562.

13 So, again, thank you for allowing me to
14 testify. And if there's anything that I can do personally
15 or I can do through our team or organization, I would be
16 glad to do that.

17 MR. FARRY: Thank you, Mr. Shipley. Thank you
18 for taking the time to be here today. If you can just
19 comment on KEMA under the proposed rewrite, actually
20 getting a seat on the PEMA counsel, you should comment on
21 the importance of that.

22 MR. SHIPLEY: Well, I think that would be --
23 with KEMA having a seat on the council would be an
24 important issue. Then we can be there as a voice for our
25 county coordinators and staff, and we can take the issues

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1 from the state level back to them in a timely manner and
2 share that information. Information sharing is very
3 important, and I think that would be an avenue for KEMA to
4 be able to do that.

5 MR. FARRY: Thank you. Chairman, do you have
6 any questions?

7 MR. SAINATO: No.

8 MR. FARRY: Okay. Representative Marshall?

9 MR. MARSHALL: Thank you, Mr. Chairman. I
10 guess really a statement and then two questions. First,
11 thank you for your testimony and your service to our
12 Commonwealth; and thanks also for mentioning Wes Hill.
13 He's also our director of emergency management for
14 Beaver County and here in the audience today. So thank
15 you, Wes, for your attendance and service to Beaver County
16 and the Commonwealth.

17 I'm also a volunteer firefighter in
18 Beaver County, and we do train with departments that we
19 run with for mutual aid; and mutual aid is a form of
20 regional departments, but I really think we need to go
21 further than that.

22 If you could, number one, expound on how can we
23 get to regional pardons. We have so many municipalities
24 in Beaver County that are very small and departments --
25 it's difficult to get training and get those departments

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1 out. And, secondly, do you believe that state and federal
2 fire grants should go to regions or counties instead of
3 going to the local fire departments?

4 MR. SHIPLEY: The mutual aid or
5 regionalization, that needs to be looked on; and I think
6 the county could help those -- the county could look at
7 those, and they know -- you know, Wes knows in
8 Beaver County which are more active local emergency
9 management coordinators and which one -- maybe they have
10 somebody appointed on paper but they do nothing. You
11 know, they show up for none of the quarterly trainings
12 that the county would host or, you know, they're there in
13 name only; and that's where the county director and staff
14 could reach out to those and say, "Hey, you have an issue
15 here. You have somebody appointed, and they" -- the
16 county could be helped and PEMA could be the support to
17 the county to help go into those areas where there would
18 be a need to regionalize and to bring one or two or three
19 municipalities together so they could have an effective
20 emergency management program.

21 You know, the bottom line is you want somebody
22 there that's going to do the job when something comes up,
23 and I think that, you know, it could start with the county
24 assisting and, you know, maybe calling that first meeting;
25 but then PEMA needs to be there to offer assistance to the

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1 counties when they undertake that.

2 And, again, you don't want those -- we all know
3 the local municipalities don't want to lose their
4 oversight. You got to do it in a way that they're
5 involved with it. And, you know, when the emergency
6 happens, that local official is still there with the
7 regionalization for his municipality, his or her
8 municipality.

9 And the fire grants, never gave that much
10 thought on the fire grants; but I know -- of whether they
11 should go regionally or to the local departments, but I do
12 know in the past experience with the grants going to the
13 local departments, it has been a big asset to the local
14 departments.

15 And I think when you say the "local
16 departments," all the departments run mutual aid. So if
17 Company A gets a piece of equipment through a fire grant,
18 Company B and C are going to benefit by it because they
19 all run together. It's back to the thing about the
20 manpower and the volunteerism.

21 So a lot of the departments, not all, but a lot
22 of departments look at what piece of equipment they buy so
23 they're not buying the same piece of equipment that the
24 neighboring department has. For instance, do I need --
25 you have a ladder truck and you run on all my calls, do I

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1 need a ladder truck, too, those types of things. So I
2 think it has been very beneficial the way the grant
3 program has helped our local departments.

4 MR. MARSHALL: Thank you very much. I think
5 on the state grants, they're lucky to get a couple pieces
6 of turnout gear and not really other equipment; but I
7 think there's some value in if they could regionalize
8 those grants and maybe Company A gets B, C, and D's grant
9 one year, and then you could move that around in a way
10 that each department could get a little bigger bite of the
11 apple.

12 MR. SHIPLEY: One of the things that my own
13 department has done with the state grants, we've used that
14 for debt service. So we went out, and we bought a bigger
15 piece of equipment for our township. Then we've used --
16 we knew we had a commitment from the state for the grant
17 money. So we were able to use that for our debt service
18 to be able to purchase that bigger piece of equipment.

19 MR. MARSHALL: Thank you.

20 MR. FARRY: Representative Gillen.

21 MR. GILLEN: Mr. Shipley, thank you, again,
22 for your testimony. Just a few moments ago, I heard you
23 make a comment about manpower. And if there is a theme
24 that's coming through to me here, it's about the
25 diminished number of volunteers that we have in the

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1 Commonwealth of Pennsylvania. We're enormously grateful
2 for the ones that are making a contribution, but it
3 strikes me that it's reaching critical mass when I hear
4 about the level of decline of volunteers in the
5 Commonwealth of Pennsylvania as we see diminished assets
6 coming, certainly, from the federal side of the equation.

7 I'm wondering if we are right for a conference
8 or a brainstorming at a larger level as to how we can
9 incentivize, retain, keep our volunteers, grow our core of
10 volunteers, find out what it is that individuals are
11 looking for and user-friendly situations.

12 I don't think we're going to be giving out
13 Pittsburgh Steelers tickets to volunteers, and I wouldn't
14 work on Representative Frank's side of the state over
15 there in Bucks County in terms of an incentive. But have
16 we given any consideration to bringing some of our best
17 and brightest in, some of those that have significant
18 tenure in volunteerism, and share some ideas in how we can
19 incentivize, retain, and grow our core volunteers?

20 I know in my own small community, since we have
21 a tiny community, there's a strong sense of commitment at
22 every level to the community, art, the flower beds, right
23 on up to the volunteer services. And I don't think we
24 have a significant problem with that.

25 But I suspect we're not representative of

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1 Pennsylvania. And so we've got a collective group here.
2 Have we given any thought as to how we can grow that core,
3 certainly, keep it from receding? Because we're going to
4 get to a point where we simply can no longer afford the
5 services that we're currently providing.

6 MR. SHIPLEY: I think the idea of convening a
7 meeting to, you know, try to come up with ideas that would
8 spur activities with the volunteers and get more involved
9 would be an excellent idea.

10 I know over the years there's different people
11 that have taken different approaches, but I don't think
12 there has been anything, to my knowledge, statewide; and I
13 think, you know, that would be an excellent idea.

14 I know, you know, we talked about the emergency
15 service volunteers and the EMA volunteers are declining;
16 but it is, from our standpoint on the county level with
17 the emergency management, the volunteerism has hit us hard
18 with organizations such as Red Cross and the
19 Salvation Army also, because they don't -- the Red Cross
20 volunteer pool is so dwindled that when we have an
21 emergency and need to open shelters, you know, they may
22 have the volunteers to open that shelter, they may not.
23 You know, that's a key -- they're a key player with the
24 counties and the state on disaster response.

25 MR. GILLEN: I would assess, based on the

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1 testimony and information that has come out even in this
2 hearing, that this leading, if you will, cannot continue
3 for a long period of time and us sustain the level of
4 service and emergency medical services and the fire relief
5 that we're currently providing; and I'm not sure when we
6 decide it's a point of crisis. But from what I understand
7 from the testimony, we had a high water mark of 300,000
8 volunteers; and we've drawn that back now to 60,000.

9 Let's take this out another generation, and
10 there's a collapse of a system. So I would say if we are
11 not at a crisis state with regard to volunteerism, we're
12 certainly at the cusp of it. And I think it behooves all
13 of us, especially members of this Committee, to give that
14 ample consideration. Thank you, Mr. Chairman.

15 MR. SHIPLEY: I think you're exactly right,
16 and I think I could speak for KEMA that we would likely --
17 we would be willing to be a player in that because that is
18 a very important issue that you brought up.

19 MR. FARRY: Representative Gillen, to add to
20 that, Senate Resolution 60, which was a dozen or so years
21 ago, if somebody knows roughly, they can correct me,
22 actually formed a committee to study developing fire
23 services, such as crew retention.

24 That committee came forward with numerous
25 recommendations, which some of them have been implemented;

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1 many have not been. Maybe it's time that we look at, you
2 know, with the turn of the calendar year, perhaps another
3 full look at that, because it has been over a decade. So
4 obviously 9/11 has happened since then, Katrina, and some
5 of the things the director pointed to.

6 MR. GILLEN: Thank you.

7 MR. FARRY: Sure. Any further questions?

8 (No response.)

9 MR. FARRY: All right, Mr. Shipley. Thank you
10 for your time being here.

11 MR. SHIPLEY: Thank you.

12 MR. FARRY: For those who have an agenda,
13 Mr. Brooker, Director of Westmoreland County Emergency
14 Management Agency, was unable to be here with us today.
15 So with that, we'll move down the agenda to Mr. Nicely,
16 State Chair of PaWARN.

17 MR. NICELY: Good morning. Thank you for
18 inviting me to speak before you. I appreciate it. I'm
19 Mark Nicely, current Chair of Pennsylvania WARN, manager
20 of Fox Chapel Authority, about ten miles up the
21 Allegheny River from here. Also, just to give you a
22 little bit of background to know where I'm coming from,
23 I'm past chair of the Pennsylvania section of
24 American Water Works as well as immediate past president
25 of the Pennsylvania Municipality Authority Association.

M. NICELY

1 I look around the room, and I see an awful
2 lot. I obviously see the representatives and your staff
3 members here. I see a lot of emergency management
4 people. I'm a lone utility guy in the room. I'm going to
5 hit you from a utility perspective.

6 Over my almost 40-year career, I've been both a
7 consulting engineer, and I've run three different water
8 utilities. So that's my background. I'll basically try
9 to keep this short and sweet. I have about eight talking
10 points.

11 Pennsylvania WARN is a mutual aid network of
12 Pennsylvania water, wastewater, and utility systems who
13 share both personnel and resources during emergencies to
14 help distress systems, maintain or restore services as
15 quickly as possible.

16 This came about because the National American
17 Water Works Association realized that, after the Katrina
18 and subsequent events that utilities were much more
19 nimble, they had very specialized equipment and personnel
20 that the feds in the states just don't have that are
21 available to them.

22 Obviously wastewater service is needed for our
23 communities to maintain not only public health and safety;
24 but without these, obviously, it's rather apparent that
25 without those services, sanitation safety goes down the

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1 drain and particularly firefighting capabilities.

2 Last September during Hurricane Irene and
3 Tropical Storm Lee, Pennsylvania WARN was called upon by
4 both PEMA and county EMAs in Northeast Pennsylvania to
5 where there was -- excuse me. I'm losing my place -- to
6 provide bulk water to rural communities whose wells had
7 become contaminated during the flooding. Our member
8 systems provided both tanker trucks and water buffalos.

9 After these incidents occurred, our WARN
10 members at a board meeting expressed some concerns about
11 the risk and liability about responding to municipalities
12 or anyone who is not a member of the WARN system since
13 there is no agreement in place.

14 All of our members signed a mutual aid
15 agreement that addresses not only liability but workers'
16 comp reimbursement for damaged equipment and so on. I
17 believe you folks do have copies of the WARN pamphlet, and
18 it has a Web site. If you're curious about all the
19 details of the agreement, it's on the Web.

20 We approached PEMA in the fall of 2011 to
21 request a memorandum of understanding or some sort of an
22 agreement whereby liability and the reimbursement
23 potential, those issues that were sticking points for our
24 members, could possibly be addressed whenever emergency
25 assistance was requested from either PEMA or county EMA.

M. NICELY

1 Last spring, WARN reps met with PEMA reps to
2 discuss the situation since nothing had occurred since the
3 prior fall. We were advised as WARN to have our attorneys
4 get in touch with the PEMA attorneys so we could work out
5 a mutually-agreeable solution. We don't have an agreement
6 as of yet.

7 PEMA has informed us that an agreement is
8 unnecessary, or at least their attorneys have, since
9 member systems fall under Act 93 of Title 35. I
10 understand where they're coming from. Just to fill in,
11 hopefully, a few missing pieces of data, WARN members not
12 only operate municipality-run systems but authority-run
13 systems. For those of who you may not know, an authority
14 is an instrumentality of this Commonwealth.

15 There are also investor-owned utilities in
16 there. And, quite frankly, they happen to be our largest
17 members with the most assets. They are generally the
18 people who are going to respond to you most often. But,
19 anyway, our legal counsel advised us that there's some
20 gray areas there and that we should be looking for this
21 MOU or an agreement, specifically how it applies to our
22 investor-owned utilities.

23 Let's see. I'm almost done. Basically, it's
24 coming down to the fact that what we're looking for is
25 something that addresses those key issues of potential

M. NICELY

1 liability workers' comp reimbursement for damaged
2 equipment should that occur, and we trust that with this
3 testimony and the work of this Committee that that can
4 happen. So at that point, I will avail myself of any and
5 all questions that I can answer.

6 MR. FARRY: Thank you, Mr. Nicely.
7 Representative Barbin.

8 MR. BARBIN: Thank you. I appreciate the fact
9 that your group steps in just like a volunteer in a
10 statewide emergency and provides assets. Could you
11 explain to us what it was like in the last big flooding
12 that we had in Eastern Pennsylvania? I'm assuming when
13 you say "utilities," you mean like PECO or PP&L, those
14 companies are a part of your group, and they provide --

15 MR. NICELY: No. Actually, sir, we are
16 strictly water and wastewater.

17 MR. BARBIN: So what do you actually provide
18 to PEMA in the event of a natural disaster?

19 MR. NICELY: Something like, specifically,
20 about last fall, last September, would be water tankers,
21 water buffalos. I know just recently here in
22 Southwest Pennsylvania there was a problem with a little
23 Masontown Borough down in Fayette County, and I supplied a
24 list of tankers and water haulers so that they could have
25 that available to them, those types of things.

M. NICELY

1 MR. BARBIN: It's mostly water. You're
2 providing water and water buffalos or water trucks?

3 MR. NICELY: Correct, sir.

4 MR. BARBIN: Are you asking for something to
5 be included within this Title 35 rewrite? Because it
6 sounded like when you gave your initial testimony you were
7 just looking for something between your association and
8 the agency that would provide a way of protecting yourself
9 from liability. But, you know, people do that all the
10 time. People provide -- you know, in a catastrophe,
11 Richland Fire Hall brings its pumper trucks out. How are
12 you any different, and why aren't you covered already?

13 MR. NICELY: Well, a concern that we have is
14 that, let's say, for instance, I provide a water buffalo
15 to your municipality that's in distress for whatever
16 reason. And generally what you do is normally there
17 should be a person stationed with that piece of equipment
18 so that someone doesn't come along and drop something
19 nasty in the water that would either make people ill or
20 kill them. That's the kind of scenarios that are in the
21 back of our minds.

22 Yes, we would like to have an agreement with
23 PEMA. But it also looks that -- and this was the reason
24 that Mr. O'Leary asked that someone from my organization
25 speak. It would be very much simplified, be a heck of a

M. NICELY

1 lot simpler, if we were included in the rewrite on
2 Title 35.

3 MR. BARBIN: So the idea is if something were
4 to happen if you were providing good samaritans services,
5 that you would be covered by the Commonwealth's immunity.
6 Is that what you're looking for?

7 MR. NICELY: Exactly. Thank you.

8 MR. FARRY: Representative Gillen.

9 MR. GILLEN: Thank you for your testimony.
10 Very concise question with regard to your seeking
11 limitations on that liability. Do you have another state
12 model that you can employ with some additional testimony?

13 MR. NICELY: Yes. I believe Rick was copied
14 with something that came out from the National Capital
15 region just recently. National Capital region is the
16 greater D.C. area. There is an Act, and I have a copy of
17 it. I know Rick was provided with a copy that could
18 possibly assist you greatly.

19 MR. GILLEN: I'm sure he'll share it with me
20 then. Thank you very much, Mr. Chairman.

21 MR. FARRY: Thank you, Mr. Nicely. We
22 appreciate you taking the time to be here.

23 MR. NICELY: Thank you for allowing me to
24 speak.

25 MR. FARRY: Our next presenter is

G. LEATHERS

1 Greg Leathers from the Emergency Management -- he's the
2 Emergency Management Director for Greene County.

3 MR. LEATHERS: Good morning. I am
4 Greg Leathers, the EMA director for Greene County. And
5 Chairman Farry and Chairman Sainato, I thank you for the
6 opportunity to speak to the Committee today. I am here
7 today in a dual role. Not only am I representing
8 Greene County Emergency Management, but I'm also making a
9 brief statement on behalf of the County Commissioner's
10 Association of Pennsylvania known as CCAP.

11 You all have received a memo dated August 14,
12 2012 concerning comments on House Bill 2562 from CCAP. I
13 would only mention the highlights of this memo so as not
14 to reiterate the total contents of something you all have
15 already read.

16 It is important to note at the outset the
17 county's pivotal role in emergency management. For
18 decades, going back to the old civil defense statutes,
19 counties were seen as the level of government best able to
20 plan for and coordinate the response to area-wide
21 disasters.

22 This role was reinforced in the current statute
23 and was expanded by subsequent enactments including the
24 Public Safety Emergency Telephone Act under which counties
25 and their telecommunications partners built the state's

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1 911 systems, the hazardous material emergency planning,
2 and Response Act under which counties are responsible for
3 hazardous material inventories and hazardous materials
4 incident response planning and Act 227 of 2002, which gave
5 counties a key role in planning for homeland security.

6 While municipalities, volunteers, and others,
7 and in some circumstances state and federal resources,
8 form the core of our disaster response and have their own
9 planning responsibilities, the primary planning and
10 coordination role is ours. This fundamental public safety
11 task is one which our counties undertake with utmost
12 conviction and diligence and one which they fulfill with
13 professionalism and care.

14 Title 35 and related statutes, regulations, and
15 guidelines set out the interrelationships and prerogatives
16 among state, county, and local government and how their
17 respective responsibilities are to be accomplished.

18 For the reasons noted, we concur that revision
19 of Title 35 is necessary. The question is whether
20 technical terminology and practice updates are sufficient
21 or whether there also needs to be any fundamental change
22 in the relationship among the Title's governmental
23 partners.

24 The draft before you at the moment does both.
25 While we concur with most of the terminology and practice

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1 changes, CCAP would like to offer several thoughts and
2 questions about some of the current language. These
3 changes, line by line, are spelled out in detail in the
4 aforementioned memo. Therefore, I will not use the
5 Committee's time to reiterate them.

6 While I put on my other hat of being a county
7 emergency management director, I concur with my colleagues
8 that the rewrite of Title 35 is needed and has been
9 accomplished in such a manner that is beneficial to the
10 residents of the Commonwealth. I wish to apologize for
11 not using my allotted ten minutes. However, this does
12 conclude my testimony, and I'm willing to accept any
13 questions.

14 MR. FARRY: Thank you, Mr. Leathers. For the
15 record, as you noted, CCAP's letter and comments are
16 included in the Member's packets. Anybody have any
17 questions?

18 (No response.)

19 MR. FARRY: Thank you for your time.

20 MR. LEATHERS: Thank you.

21 MR. FARRY: Now we will move on to
22 Mr. Raymond DeMichiei, who is the deputy director of the
23 City of Pittsburgh's Office of Emergency Management and
24 Homeland Security. Thank you for being here today, and
25 also thank you for helping coordinate our activities out

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1 here in Pittsburgh.

2 MR. DeMICHIEI: My pleasure, sir. Chairmen,
3 Members of the Committee, as you know, my name is
4 Ray DeMichiei. I'm the deputy director of Emergency
5 Management and Homeland Security for the City of
6 Pittsburgh. Thank you for the opportunity to provide a
7 statement and discuss House Bill 2562 which will amend the
8 Emergency Management Services Code commonly referred to as
9 Title 35.

10 On behalf of Mayor Ravenstahl and my immediate
11 supervisor, Public Safety Director Huss, we welcome you to
12 the City of Pittsburgh; and I hope that your stay here
13 with us will be well-productive and enjoyable.

14 I would like to extend my thanks to Heinz Field
15 and their personnel for providing us with this unique
16 venue for our meeting today. I understand the discomfort
17 that it may cause the Philadelphia folks. It was either
18 that or Console Energy Center.

19 A little bit of background on myself so maybe
20 you have a feel for where I come from. I currently have
21 40 years of public safety service, which started in 1972
22 as a volunteer firefighter/EMT in a suburban Pittsburgh
23 community. My very first call as a volunteer lasted
24 three days, and that was the aftermath of Hurricane Agnes
25 in June of 1972. So anything up in emergency management

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1 seemed like a predestined circumstance for me.

2 I was hired by the City of Pittsburgh as a
3 paramedic when, then, Mayor Flaherty and this gentleman by
4 the name of Director Cannon started the emergency medical
5 service program in 1975.

6 Over my 38 years as a city employee, I've held
7 positions as a paramedic, an investigator in the public
8 safety office of professional responsibility, operation
9 supervisor for the Bureau of Communications and 911; and
10 now I have the day-to-day responsibility as the director
11 and deputy director of Emergency Management Homeland
12 Security for the city.

13 I've been involved with emergency management
14 since 1988 as part of my duties at that time with the
15 Bureau of Communications and 911. And then emergency
16 management and homeland security became my primary focus
17 in 2002, hence forward to today.

18 This rewrite of Title 35 is much overdue. And
19 with the hard work of all those involved in this process,
20 it improves the Bill which I believe will well-serve the
21 emergency response community and the public well into the
22 21st century. It's not everything to everyone. Most
23 things aren't. But it's light years ahead of where we're
24 currently at right now.

25 Regarding the advantages of coming on somewhat

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1 late, if you had an opportunity to hear some of the
2 predecessors that have talked -- I obviously pay very
3 close attention whenever Director Cannon speaks. So I can
4 say pretty equivocally that every comment that he brought
5 forward, myself and the City of Pittsburgh is in
6 concurrence with. So you can add our voice to the
7 commentary that Director Cannon gave.

8 The City of Pittsburgh Emergency Management
9 Homeland Security generally supports the Bill, as I said,
10 but we do have a few -- one or two concerns that this Bill
11 does not address, yet it maybe exacerbates the situation.

12 Historically, through various interpretations
13 of the law, past administrations on the state level took
14 the position that the City of Pittsburgh was a
15 municipality and not recognized in the same manner as the
16 county level of the government.

17 While Pittsburgh has the third largest police
18 force, the second largest career fire service, and the
19 largest third service EMS agency, and, by population, is
20 the seventh largest county in the Commonwealth, the
21 existing Title 35 and the rewriting classifies the city
22 the same as a borough township that may have hundreds to
23 thousands of people.

24 If it were not for the fact that Philadelphia
25 is chartered as both a city and a county, they would have

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1 been in the exact same circumstance as the City of
2 Pittsburgh is. The Bill currently, as written, does not
3 resolve this; and, as I mentioned, it may make it worse.

4 Specifically, as drafted, it could cause the
5 City of Pittsburgh to be removed as a board member of our
6 regional terrorist task force. Understanding that that is
7 not a concern of us at this point in time, we understand
8 that this Bill is going to be a long-lived Bill and that
9 we cannot say what is going to happen two years,
10 three years, or four years down the line with
11 administrative changes or anyone who may have standing
12 bringing forth the issue.

13 Specifically, Subchapter 3, Section 7521(b)(1)
14 says, "Each regional task force shall be governed by an
15 executive board comprised of a county coordinator from
16 each county or other county official appointed by the
17 county in the task force within the region task force
18 area."

19 This language, as I said, could be used to
20 remove or force the City of Pittsburgh off the governing
21 body of Region 13, as Mr. Shipley said is our regional
22 terroristic task force recognized by the state, that we
23 were a charter member of.

24 This section of Bill is even more critical as
25 of late, as Director Cannon had alluded to, because the

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1 Pittsburgh UASI recently has been dropped by the
2 Department of Homeland Security. I have one or two
3 additional comments on that towards the end.

4 The federal law would have protected the city
5 since it requires the core city of an urban area to be a
6 member of that urban area working group. Since we're no
7 longer yet a UASI, we do not have that availability of
8 that federal requirement to allow us to stay as a member
9 of the executive board of our task force.

10 My suggestion or one of the suggestions
11 possible in order to minimize changes in the Bill --
12 because I know you don't want to go out and do wholesale
13 changes to a document at this point in time. But one of
14 the suggestions that I would have is that possibly
15 insertion of language into the definitions section would
16 address something on the order for the purposes of this
17 Act, all cities of the class shall be considered to be a
18 county. That would take care of any of those situations
19 or circumstances that may come through with the minimal
20 impact on the language of the Bill. There are probably
21 other options out there, but that's the one that comes to
22 mind for me; and it seems to be simplistic.

23 Another item that I would like to mention -- it
24 doesn't have a relating directly to this law, but it's an
25 illustration of this dichotomy with counties and cities,

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1 is that a designation of emergency vehicles -- a recent
2 Bill was passed that allows a predesignation of emergency
3 response vehicles as emergency vehicles and for emergency
4 warning lights. However, it only says "county."

5 So, therefore, not being a county, I have to go
6 through a long involved process in order to get permission
7 to use emergency warning lights on, for example, my
8 vehicle. It would be helpful if that would not have to be
9 the case. It would be much more simplistic. I think it's
10 a, you know, foregone conclusion.

11 Unfortunately, the legislation came through,
12 and it didn't address that. As a matter of fact, it even
13 missed PEMA. The State Emergency Management Agency, they
14 have to get their vehicles approved now through some
15 process.

16 And, you know, in this age of less regulations,
17 I think this might be a lesser regulation that we should
18 probably get away with. But that would be an additional
19 suggestion.

20 Lastly, I would like to call your attention to
21 the issue that cannot be reversed or changed by you all
22 directly through legislation at the state level. However,
23 you can have a significant role by conversing with your
24 counterparts and your colleagues on the federal level.

25 In 2012, the Pittsburgh Urban Area Working

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1 Group, Region 13, the Pittsburgh UASI, was dropped by the
2 Department of Homeland Security as a funded UASI. This
3 will cripple the ability of Southwestern Pennsylvania to
4 be able to respond effectively to a manmade or natural
5 disaster, not only in this SU area, but across the
6 Commonwealth as Region 13 did in the eastern part of the
7 state for Tropical Storms Irene and Lee.

8 I have been selected as a board member of a
9 group called National Urban Security Coalition where our
10 mission is to work to restore homeland security funding to
11 all of the nation's urban areas that were reduced. I'm
12 asking your assistance with this most important endeavor
13 and hopefully have some conversations later in this
14 regard.

15 A point of observation is I understand the
16 current environment is lesser government, less money, we
17 have to live within our means. I understand that, and I
18 concur. However, if you look at the Department of
19 Homeland Security on the federal level, it's one percent
20 of the federal budget. That includes everything in
21 homeland security, not the grants process. When you look
22 at the grants process, that's even a subset of that.

23 The Department of Homeland Security is about
24 one percent of the entire federal budget. So trying to
25 balance the budget on the backs of one percent and having

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1 adverse impacts to cities like the City of Pittsburgh and
2 other areas seems to be counterproductive in a number of
3 different ways.

4 One other thing I would like to mention to you
5 before I see if you all have any questions,
6 Director Cannon was talking about communications. So I
7 remember a story that brought to mind a story that I think
8 kind of frames this whole issue; and obviously I don't own
9 the story, but I would suggest if you have the occasion,
10 you might want to use it to explain this.

11 One day, I was flipping through the channels
12 watching television, and I watch TV shows like PCN and
13 CSPAN; and there was a program called C Notes, and it was
14 a book interview, and it had Tom Clancy on it. There was
15 a discussion with Mr. Clancy, who you all may know is a
16 writer that has some very interesting books; and there was
17 a question-and-answer period. And one of the questions on
18 the phone was a caller who said, "You know, Mr. Clancy, if
19 you were on a battlefield, what would be the weapon you
20 would want to have above all else, you as an individual
21 soldier?"

22 He said, "Well, you know, there's a number of
23 things out there, but, you know, if I was out there all by
24 myself and I needed something that I felt was the best way
25 to be successful in my efforts and be safe and win the

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1 battle, it would be a radio, because if you have a gun,
2 you only have so many bullets. If you're there by
3 yourself, you only have so many hand grenades or whatever
4 kind of weapons you have. With a radio, you can bring a
5 world of hurt down on somebody. So think about it. If
6 I'm out somewhere, even if there's a bad guy chasing me,
7 all I have to do is escape and evade, get on my radio; and
8 the world is coming to help me."

9 So this is a fine example, I think. When we
10 think about radios, it seems like it's an ancillary tool
11 in the public safety toolbox. It really isn't. It is the
12 primary tool. Because without radios, you're never going
13 to get the call, you're never going to be able to ride out
14 to the call; and it is clearly a firefighter safety issue,
15 a paramedic safety issue, and an officer safety issue.
16 Without that radio, you have big problems. And I won't
17 argue with Mr. Clancy on any point.

18 So that concludes my testimony. I would be
19 more than happy to have any questions. Oh, let me
20 mention, as you somewhat know, and for all here, we have a
21 static vehicle displayed that I would ask everyone at the
22 end to take a walk over and take a look at. This ties
23 into the importance of the Homeland Security funding from
24 the federal government.

25 Each piece of equipment you see out there was

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1 purchased through Region 13 with Homeland Security dollars
2 from the federal government, and I think you'll see the
3 capabilities that that equipment brings to bear. Now, the
4 only equipment that wasn't purchased directly by those
5 dollars but are supported by those dollars is a
6 Pennsylvania urban search and rescue strike team vehicle,
7 which if everybody showed up the way they were supposed
8 to, because I haven't been out there, that should be out
9 there also.

10 So that will be out there for as long as
11 someone wants to look at it. So I would encourage anybody
12 who wants to go out and take a walk around, myself and
13 some folks we brought with us would be more than happy to
14 show you what we have. Any questions?

15 MR. FARRY: Representative Gillen.

16 MR. GILLEN: Two comments. I don't have any
17 questions, because you spent about an hour with me
18 yesterday answering my questions; but thank you for your
19 enormous generosity with your time.

20 MR. DeMICHIEI: My pleasure, sir.

21 MR. GILLEN: But I do think there is a federal
22 and state nexus with regard to the Homeland Security
23 funding that you mentioned, and I think it behooves the
24 legislator individuals to contact their federal assets,
25 whether it be a United States Senator or a member of the

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1 House of Representatives; and I intend to do that very
2 thing. Thank you.

3 MR. DeMICHIEI: Thank you. I appreciate it.

4 MR. FARRY: Chairman.

5 MR. SAINATO: Ray, I just wanted to thank you
6 for that valuable tour you gave us yesterday on the search
7 and rescue vehicles, going up and down the river. So I
8 commend you and your troops, because these things happen,
9 and they occur. You know, there's -- talking about it --
10 you know, it can be the middle of January, and you got to
11 dive into that freezing water out there.

12 So I do want to thank you because I think that
13 was very hands-on for the Committee. This Committee likes
14 to see things. It's nice we're in a room today listening
15 and talking. We always like to go out into the field and
16 see these types of things, because now we know exactly
17 what you're talking about when, you know, these
18 discussions come up in Harrisburg and, you know, seeing
19 those vehicles and the value they are. Those were
20 purchased, too, with Homeland Security money?

21 MR. DeMICHIEI: Yes. One vessel was purchased
22 with UASI dollars, Urban Area Security Initiative dollars,
23 those ones that will go away as of this year. And the
24 other one was by Port Security grant dollars, which is DHS
25 dollars; but it comes through a different channel. The

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1 Coast Guard is the administrator of that.

2 Generally, and it occurred in this case, as go
3 UASI dollars, so go the Port Security dollars. So when we
4 lost the UASI dollars in 2012, the Port of Pittsburgh,
5 which covers all the way into West Virginia and Ohio --
6 because those districts aren't governed by state
7 boundaries. They're federal boundaries, and they work
8 with the -- to go into Ohio and West Virginia, those
9 dollars have gone also.

10 So we've taken a double hit in respect to UASI
11 dollars and the Port Security dollars with this obsession
12 with saving money.

13 MR. SAINATO: I do understand. I do
14 sympathize with you. Because when you look at what you're
15 saying, it's less than one percent of the whole national
16 budget that we take care of. We have that same problem.
17 The government of Pennsylvania is, I think, less than half
18 of one percent; and, you know, we're always tacked for
19 that as well. It's like we got to cut government, cut
20 government. If you wiped that out, it's still not going
21 to solve the big problem, the big picture. The same thing
22 with your situation; if they wipe your funds out, it makes
23 no dent.

24 MR. DeMICHIEI: I had a friend who -- we were
25 having this conversation about, you know, government and

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1 how we don't need it and all those other things. I kind
2 of ended the conversation. I said to her -- said, "Where
3 do you live?" I said, "Because, you know, I want to come
4 over and take 911 out of your phone, because you don't
5 need government. So the next time you need a fire truck
6 or an ambulance or a police officer, handle it yourself."
7 And usually when you kind of structure that thing that
8 way, some folks kind of hopefully see the errors in their
9 ways.

10 MR. SAINATO: It's like the work of our
11 volunteer fire companies, our paid fire companies; until
12 you make that call and you actually need it, you don't
13 think about it because it's just there. And, I mean, I
14 live a half a mile from -- I live in Union Township right
15 outside the City of New Castle. The volunteer fire
16 company is less than a half a mile from my house. And so
17 I know the work that these guys do, but you don't think
18 about it until you have to make that 911 call.

19 MR. DeMICHIEI: And, you know, I have these
20 issues also where, you know, I have to deal with budget
21 offices and, you know, they want to tighten things up in
22 the city. And one of the statements I say to them is, you
23 know, emergency management, in particular, and public
24 safety, generally, is a lot like an insurance policy on
25 your house. You never want your house to catch fire and

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1 burn down so you have to use your insurance policy, but
2 most of us don't avoid paying money to buy that insurance
3 policy.

4 Emergency management, planning, emergency
5 response, it's an insurance policy. It's money well spent
6 that hopefully you never have to use; but the day you want
7 it, you're glad -- or the day you need it, you're glad you
8 spent the money on that.

9 MR. SAINATO: I think this Committee is very
10 receptive to the needs you have, as said by
11 Director Cannon, because, I mean, we look at it in that
12 respect because we've seen it. My first comment was we're
13 hands-on, we like to go out in the field; and we like to
14 see what is out there.

15 Once you see what is out there, then you
16 understand and get a new appreciation of the value of this
17 equipment, the value of, you know, the lives at stake; but
18 if you just sit in a room and talk about it and look over
19 there and say, "Oh," that really doesn't matter.

20 MR. DeMICHIEI: And the other thing I'll
21 mention to you also is that I appreciate your comments
22 about the event yesterday when we went out on the rivers.
23 I haven't been out there for a while myself either. So
24 it's kind of nice to get out there every now and again and
25 look at it from that perspective.

1 But that's just not -- you go throughout this
2 Commonwealth, throughout this region, you'll see similar
3 operations just like what you saw yesterday, whether it's
4 in Philly or Erie or in Beaver County or any of the
5 members of our region task force. We have those
6 capabilities across the board. So they're not unique to
7 Pittsburgh. They're throughout the Commonwealth, and
8 those are the kinds of things that we really need to keep
9 viable and operational.

10 MR. SAINATO: Thank you.

11 MR. DeMICHIEI: Thank you very much.

12 MR. FARRY: That concludes the testimony.

13 Director Cannon, do you have any closing comments or
14 just --

15 MR. CANNON: I just thank you all very much,
16 and thanks for traveling and coming out here. You can
17 tell how proud we are of our area. We grew up here. This
18 facility you're in and the Steelers -- Pittsburgh lost
19 about half its population over a 20-year period of time,
20 as our young people had to leave to get jobs when the
21 mills closed.

22 When I say "Pittsburgh," I mean our Pittsburgh
23 region, everybody. When you hear them talk about the
24 Steeler Nation when you watch national television, you see
25 all those Terrible Towels when you're in Arizona, those

1 are our young people. You know, they had to leave. And
2 what we would like is a situation where they can come home
3 and we have -- you know, the governor announced the
4 program, a job for everybody, education so you can work
5 the job. We want those people to come home. Thank you
6 all again for coming here and allowing us to speak to
7 you. Thank you.

8 MR. FARRY: Thank you, Director. I would like
9 to thank everyone who took the time to testify today as
10 well as took the time to be here to show your interest in
11 the rewrite of Title 35. For those folks of the Emergency
12 Management Committee, Emergency Services, I would also
13 like to thank you for your dedication in keeping the
14 citizens of our Commonwealth safe.

15 The testimony over the course of the
16 three hearings, I think, has been very informative. To
17 speak on behalf of Chairman Barrar who has introduced the
18 legislation, we have very limited legislative dates left
19 during the course of this calendar year and this session.

20 I think the plan is to continue to vet the Bill
21 as written, make the appropriate changes, and then have
22 the reintroduction of this Bill in early next year; and,
23 hopefully, we'll have some movement in the springtime.
24 With that being said, Chairman Sainato, do you have any
25 closing remarks?

1 MR. SAINATO: Yeah. Just to follow up, like
2 you said, I do want to thank everyone for coming to
3 Western Pennsylvania, especially my colleagues that had to
4 travel.

5 I do thank all those in the emergency response
6 that's here today and every testifier, because we are
7 taking every testifier seriously. We want a product
8 that's going to come out of this that's going to be very
9 good and the best that we can possibly come, and we want
10 to try to have everybody feel that they're part of it.
11 They all have skin in the game. I think that's
12 important.

13 We want to listen, and we want to talk. And
14 that's what these hearings were about. All three of them,
15 I think, were very valuable to the Committee Members who
16 participated; and we look forward to moving this process
17 forward probably in the spring. Thank you.

18 MR. FARRY: And one final note for the
19 record. We did receive written testimony from the Arc of
20 Pennsylvania as well as the nuclear industry, and the
21 Members have that in the packet. So unless the Members
22 have anything for the good of the Order, the hearing is
23 adjourned. Thank you.

24 (Whereupon, the above-entitled matter was
25 concluded at 11:45 a.m., this date.)

C E R T I F I C A T E

I hereby certify that the proceedings and
evidence are contained fully and
accurately in the stenographic notes taken
by me on the hearing of the within cause
and that this is a correct transcript of
the same.

Amanda M. Murphy, Notary Public