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Firefighter's Association of the State of Pennsylvania

Testimony of
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Co-Chair, Law & Legislative Committee
Senate Veterans Affairs and Emergency Preparedness Committee
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RE: SB698 - Public Safety Authorities

There is no higher priority of government at any level than assuring the safety, security and provision of emergency services protection to the citizenry. Any other function of government has no value to a person who perished due to an inability to protect them, whether it be a failure of our national security's ability to extricate an American citizen from a hostile environment, or the inability of a local fire or EMS service to extinguish a fire or turn a crew in time to save a cardiac patient.

I believe that there is adequate documented proof that our public safety services are in crisis. The Senate Resolution 6 Commission documented the decline in the number of firefighters within the Commonwealth. From 300,000 at the time of the Pennsylvania Burning report in 1976, to the estimated 38,000 referenced in the SR6 report in 2018. We have another crisis facing our EMS systems, which has been well documented in a number of reports. The Executive Summary prepared by the EMS Sub-Committee of the SR6 Commission did a good job of cataloging the challenges, especially the financial challenges to the system dating back to the enactment of Act 45 of 1985. Dropped calls. Inadequate pay. Inability to retain providers, whether career or volunteer. Difficulty in recruitment efforts, partially, in my opinion due to the lack of public empathy towards public safety providers, and the unwillingness of both government and the public to adequately provide the resources necessary for their protection. All of these issues continue to plague the system, and at an alarmingly increasing rate.

I come from a relatively affluent community, yet approximately 70% of the residential households do not contribute to the annual Fire Department Fund Drive, leaving the responsibility to a small minority percentage of the population. In my opinion, it is a totally unfair situation to expect such a small percentage of the population to shoulder the responsibility of financially supporting critical public safety services.

In essence the SR6 report was a list of recommendations aimed at putting tools in the toolbox to enable collaborative approaches to problem solving. One of the recommended tools was to simplify the process of regionalizing public safety delivery systems. Senate Bill 1274 last session, and now Senate Bill 698 this session is simply a modification to the Municipal Authorities Act giving counties the option to create Public Safety Authorities. Such authorities

would be consistent with existing municipal authorities by enabling a mechanism of financing and managing a system supporting the delivery of emergency services to the public.

Let me go on record as stating the Firefighter's Association of the State of Pennsylvania supports SB698, and what it seeks to accomplish. However, we do have several suggestions which we believe would strengthen the impact that passing this proposed legislation would achieve.

First, we are extremely concerned about municipalities that would choose to opt out of an authority, and then provide a lesser level of service. We believe that those opting out should be required to ensure an equal standard of coverage so as not to rely upon authority supported agencies to cover for them via mutual aid. We believe the current language of the bill creates uncertainty, where it states that a public safety authority cannot assess rates or provide services within a municipality without the municipality opting by ordinance to enter into a contract with the authority. This seems to conflict with the basic mutual aid requirements of Title 35, and it should be clarified. We believe there is reason for concern if a municipality can simply opt out of sharing in the cost of the authority, but then still lean heavily upon to authority to provide mutual aid to supplement its own deficient service.

Second, we believe there should be some qualifications associated with eligibility for authority board membership, to assure that they are well versed in public safety. We also suggest that the language in 5606.1(h) needs to be reviewed because as written it precludes the authority from employing firefighters and having employees providing firefighting services. This would largely preclude the fire service from participating in the operation of the authority, and would eliminate many experienced individuals from consideration. We would suggest rewriting section (h) as follows:

(h) Limitation on fire protection services, the following shall apply:

- (1) A public safety authority may not hire employees to work as firefighters.
- (2) Fire protection services may not be directly provided by employees of a public safety authority while serving in their capacity as an employee of the public safety authority. (They would however, be free to volunteer if they chose in their off hours.)

Third, section 5607(b)(2)(vii) prevents creation of a public safety authority that directly competes with services already provided by a private company. It would be helpful if this section was clarified either in the act, or in the subsequent regulations, in terms of what is authorized for an authority funded EMS provider in a county where there may already be a private EMS provider. For example, at what point does mutual aid potentially switch from support to competition if the new entity is pushing a higher level of coverage? Can the authority fund a new entity with a higher level of coverage if it takes calls away from an existing adjacent provider, but gets them answered sooner?

Thank you for the opportunity to address the committee on what we believe can become a valuable tool in addressing improvement to the delivery of public safety services within our communities.