

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
VETERANS AFFAIRS & EMERGENCY PREPAREDNESS COMMITTEE

STATE FIRE ACADEMY
LEWISTOWN, PENNSYLVANIA

AUGUST 14, 2012

10:12 A.M.

BEFORE :

HONORABLE STEPHEN E. BARRAR, MAJORITY CHAIRMAN
HONORABLE CHRIS SAINATO, MINORITY CHAIRMAN
HONORABLE KAREN BOBACK
HONORABLE BRYAN BARBIN
HONORABLE MARK LONGIETTI
HONORABLE GARTH D. EVERETT
HONORABLE WILL TALLMAN
HONORABLE SCOTT E. HUTCHINSON

1 ALSO PRESENT:

2 RICK O'LEARY, EXECUTIVE DIRECTOR
3 HOUSE VETERANS AFFAIRS & EMERGENCY PREPAREDNESS
4 COMMITTEE (R)

5 SEAN HARRIS, LEGISLATIVE RESEARCH ANALYST (R)

6 HARRY M. BUCHER, II,
7 RESEARCH ANALYST/ACTING EXECUTIVE DIRECTOR (D)

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1 CHAIRMAN BARRAR: Okay. Good morning. I'd
2 like to call this Committee Public Hearing to order. My
3 name is Steve Barrar. I am the Majority Chairman of the
4 House Veterans and Emergency Preparedness Committee.

5 We're here today to examine House Bill 2562,
6 which I have been the prime sponsor of and also many of
7 the members here today. Speaking of the members, I'm
8 going to exit from my remarks and ask the members if
9 they would like to introduce themselves, starting on my
10 right here.

11 (Whereupon, attendance was taken.)

12 CHAIRMAN BARRAR: Thank you. This
13 legislation that we're discussing today is a result of
14 over five years put in by PEMA, County Emergency
15 Management Officials, emergency responder groups, and
16 other interested stakeholders from both the public and
17 the private sector.

18 The purpose of today's hearing is to
19 properly vet this bill in the central region of
20 Pennsylvania, with additional hearings in eastern
21 Pennsylvania on August 29th and western Pennsylvania on
22 September 19th. If anyone has questions on those
23 hearings or would like to add testimony, let us know.

24 Title 35 contains Emergency Management
25 Services Code, which governs how PEMA functions and

1 provides the framework for how the Commonwealth and our
2 local government prepares for and responds to disasters.
3 The General Assembly last updated Title 35 in 1996 as a
4 result of the winter storms and flood disaster
5 responses. Since 1996, there have been significant
6 events and new federal law changes that necessitate our
7 changes to Title 35.

8 Today we have an excellent panel of
9 testifiers before us. I want to personally thank them
10 for their participation here today. Each panel will be
11 allotted 20 minutes for their presentation, and a
12 question-and-answer period will follow. And as a
13 reminder to everyone, I will let you know, we are being
14 video-recorded; and I would ask you to put your cell
15 phones on silent, if you would.

16 Okay. I'd like to recognize Chairman
17 Sainato for remarks.

18 CHAIRMAN SAINATO: Thank you, Chairman
19 Barrar. I am glad to be here to have the opportunity
20 for part of these hearings on the updates of Title 35.
21 As Chairman Barrar has stated, the General Assembly last
22 updated Title 35 in 1996. It contains the Emergency
23 Management Services Code, which governs how PEMA
24 functions. There have been a lot of things that
25 happened since this last update: We've had 9/11,

1 Hurricane Katrina, and Tropical Storm Lee. That's why
2 it's important that we review the Emergency Management
3 Services Code in Title 35. I'm pleased to have this
4 opportunity to reach out to the people that are
5 interested in this, and I look forward to the testimony
6 we're going to have today. It's always good to see
7 Director Cannon. He's always on top of things; and we
8 always enjoy listening to you, Director.

9 MR. CANNON: Thank you, sir.

10 CHAIRMAN SAINATO: So that's really all I
11 have to say, and look forward to our hearing.

12 CHAIRMAN BARRAR: Okay. Our first testifier
13 for the panel is PEMA Director Glenn Cannon. Director
14 Cannon, I want to thank you for being here today and to
15 offer comments on this legislation. You can begin when
16 you're ready.

17 MR. CANNON: Thank you, sir. Chairman
18 Barrar, Chairman Sainato, members of the Committee, I am
19 Glenn Cannon; and I am the Director of the Pennsylvania
20 Emergency Management Agency, and I want to thank all of
21 you for this opportunity to provide some statement,
22 comment on House Bill 2562, which will amend our
23 Emergency Services Code; and we do commonly refer to it
24 as Title 35, our enabling legislation.

25 Even though PEMA is a small agency, we have

1 a very large mission. Our mission is to save lives,
2 reduce suffering, and when possible, protect property
3 and the environment. And I just want to comment on that
4 for a second. When we work with local first responders
5 to enable them to pull people out of raging rivers
6 during flooding times, that's life saving. But when we
7 go into a community that has been evacuated for ten days
8 and they've just returned home and they find that their
9 home is no longer on the foundation of their house and
10 everything they had of value is gone, the place where
11 Dad worked was flooded and it's gone, the school where
12 the kids went is closed, you know, Mom, where she did
13 her volunteer work is gone; and that's what they return
14 and find, I stress to my people that our involvement
15 with that is also life saving. It's not just the after
16 portion, but it's what happens after bad things happen.
17 And not only do we save lives, but we save families and
18 marriages and communities; and that's all part of our
19 mission. So it's not just that front-end part, but it
20 goes on; and we are still going on today heavily with
21 the result of what happened last year.

22 We have this enormous responsibility; and we
23 take it very seriously, to direct and coordinate state
24 agency response and to support county and local
25 governments in the areas of disaster preparedness,

1 planning, response to and recovery from manmade or
2 natural disasters. When Governor Corbett offered me the
3 job as PEMA Director, he made it clear that his
4 administration would make a very strong commitment to
5 public safety for all citizens of the Commonwealth.
6 He's followed through on that commitment, and this
7 rewrite of Title 35 is another important step in further
8 enhancing public safety for Pennsylvanians.

9 Title 35 contains the Emergency Management
10 Services Code, which governs how PEMA functions, and
11 provides the framework for how the Commonwealth and our
12 local governments prepare for and respond to disasters.
13 The current Title 35 has been in place for about 34
14 years; and as we heard, the last significant amendments
15 were 16 years ago, in 1996, as a result of a winter
16 storm and some flood disaster response.

17 As we heard Chairman Barrar just point out,
18 there have been significant events and new federal law
19 changes that necessitate these changes to Title 35.
20 Some of those events and federal law changes include the
21 Valentine's Day winter storm of 2007, which stranded
22 many many of our people on interstate highways for
23 extended periods of time; hurricane Katrina, probably
24 the worst catastrophic disaster in our recent history;
25 terrorist attacks on September 11th, 2001; and from

1 that, the creation of the United States Department of
2 Homeland Security and the creation here in Pennsylvania
3 of our nine regional task forces designed to prepare and
4 respond to events of that nature that occur in
5 Pennsylvania; and now more frequently, cyber attacks
6 that are happening daily to our country and are probably
7 emerging as one of the greatest threats that we will
8 face in the United States. And we definitely have to be
9 concerned about state-sponsored terrorism. We've pretty
10 well dealt with that at the national level, but the
11 lone-wolf terrorist situations like recently occurred in
12 Colorado, those will be difficult. But state-sponsored
13 terrorism is shifting to cyber; and it can have a
14 devastating impact on our country, our way of life, and
15 our communities.

16 We also have new federal guidelines and
17 programs that relate to all hazard disasters, and some
18 of those federal initiatives include something called
19 the National Preparedness Goal, that President Obama
20 recently issued; the National Incident Management
21 System, so that we have a standardized method of
22 providing emergency response across the nation; the
23 National Infrastructure Protection Program, a program
24 designed to prepare and harden and create resilient
25 infrastructure systems, so that our way of life is not

1 disrupted; the National Pandemic Preparedness Program;
2 you've all heard about bird flu and swine flu. If our
3 enemies find a way to weaponize that, we can have
4 significant issues in the United States; and our
5 National Response Framework, which lays out a
6 standardized method of response; and just in the last
7 six months, a National Recovery Framework was also
8 issued. All of those are new things that impact us that
9 are not accounted for in the existing legislation.

10 In addition to that, in August and September
11 2011, Hurricane Irene and Tropical Storm Lee caused the
12 most significant and widespread flooding in the
13 Commonwealth since Hurricane Agnes in 1972. Across the
14 board, the response to those storms was remarkable and
15 highly successful; but as always, we learned some
16 lessons that will further enhance our emergency response
17 capabilities in the future. Simply put, the
18 requirements of emergency management professionals in
19 2012 are quite different than those that were in place
20 in 1996. It is no longer enough to be able to respond;
21 we must work toward a comprehensive emergency management
22 program focused on preparedness and the ability to
23 prevent, protect against, respond to, and recover from
24 any disaster or emergency situation. Frankly, the
25 changes needed to Title 35 are long overdue.

1 As a result of those significant events and
2 changes to federal and state law, we conducted a
3 comprehensive review of our entire emergency management
4 program, including Title 35. In addition to our
5 internal review, Mr. James Lee Witt, the highly regarded
6 former director of FEMA and Ridge Global with former
7 Governor, Tom Ridge, and first US Department of Homeland
8 Security Secretary as its principle, conducted
9 independent reviews of the Commonwealth disaster
10 response framework and issued reports recommending
11 enhancements to our current program.

12 And most important, over the past number of
13 years, PEMA conducted numerous meetings and had
14 considerable outreach with those in the emergency
15 response community and elected officials' associations
16 to help draft the changes to current Title 35. Some of
17 that outreach included approximately eight meetings with
18 Keystone Emergency Management Association, or KEMA as
19 it's known, and our county emergency management agency
20 coordinators; three regional statewide meetings with the
21 emergency management community and elected officials;
22 and meetings with associations or groups affected by the
23 proposed legislation, including elected officials'
24 associations such as CCAP, the County Commissioners
25 Association, the Pennsylvania State Association of

1 Township Supervisors, and the Pennsylvania State
2 Association of Boroughs, and the Pennsylvania Municipal
3 League and other first-responder associations: EMS
4 agencies, fire agencies, building inspection people.

5 As with any piece of legislation that is
6 this lengthy and comprehensive, I'm sure there are some
7 matters to which stakeholders may want to make some
8 additional changes. PEMA is open to any change that
9 makes the legislation better. For example, two weeks
10 ago, KEMA held their board meeting at PEMA headquarters.
11 Keystone Emergency Management Agency came to our
12 building and held their board meeting there. During the
13 meeting, they raised two changes to the draft that they
14 felt were appropriate for the legislation. We concurred
15 with those suggestions and drafted language to address
16 these issues. Subject to those two minor changes, at
17 that board meeting KEMA voted unanimously to support
18 this current version of Title 35. Therefore, I do
19 believe that this legislation will have broad and strong
20 support from the stakeholder community.

21 PEMA's role in a disaster emergency is to
22 direct and coordinate state agency response and to
23 support county and local governments. You've often
24 heard the phrase that all emergencies and all disasters
25 are local, and they start locally and then they grow.

1 And the way our system is in the United States, they
2 start locally. When the local borough, township,
3 municipal agency is overwhelmed, they reach out to their
4 county; the counties reach out to the state; and the
5 state reaches out to the federal government, and that's
6 the system that exists in the United States.

7 To make it work at the state level, this
8 truly requires team effort among all agencies. In the
9 proposed amendments to Title 35, we work very closely
10 with our sister agencies to make sure that their needs
11 were met, also, in this legislation. For example, with
12 the Pennsylvania State Police, we work to ensure that
13 law-enforcement-sensitive information would be protected
14 whenever information needed for consequence management
15 was shared. In our business, there are two terms:
16 crisis management, which is the law enforcement side of
17 the house; and consequence management, which is what
18 goes on after something bad happens. So the goal is, if
19 you have a terrorist threat, hopefully law enforcement
20 will neutralize that threat and the event won't happen.
21 If it happens, consequence managers have to come in and
22 pick up those pieces. So we work very hard with the
23 State Police to make sure that their needs were
24 protected.

25 This also will enhance appropriate

1 information sharing with our new office of Homeland
2 Security. With the Department of Health, we work to
3 ensure that the public health isolation and quarantine
4 measures fit their needs along with those of law
5 enforcement. With the Department of Public Welfare and
6 the Department of Education, we work to ensure that
7 there will be enhanced dependant-care facility planning
8 in the event of a disaster or emergency. Cooperation
9 and coordination among state agencies is essential in
10 managing a widespread major disaster or a single
11 incident.

12 You had to be at our State Emergency
13 Operation Center during Hurricane Irene and Tropical
14 Storm Lee to fully appreciate how important the role of
15 cooperation and coordination played with our other state
16 agencies in successfully responding to those storms.
17 With regards to the proposed amendments to the text of
18 Title 35, it's quite lengthy and comprehensive;
19 therefore, in consideration of our time today, I will
20 not go into detail about each section, but highlight
21 that some of the key changes to the title are as
22 follows: enhanced dependant-care facility planning;
23 more clearly detailing the powers and duties of county
24 emergency management programs; more clearly detailing
25 the powers and the duties of local emergency management

1 programs in our almost 2600 local municipal governments;
2 certification and accreditation of emergency management
3 professionals; support of county animal rescue teams.
4 One of the great lessons learned out of Katrina, and if
5 you'll recall, there were people who refused to abandon
6 their pets; they stayed with their pets and died. It's
7 a great lesson learned for all of us. There's now
8 federal legislation that mandates states to have
9 programs similar to this. It's part of the updating
10 our code to reflect what's going on at the federal
11 level. Enhanced coordination of regional all-hazard/
12 counter-terrorism task forces; enhanced large event
13 emergency planning; more comprehensive workers'
14 compensation coverage for our emergency management
15 volunteers and workers; enhanced sharing of information
16 for better disaster consequence management; expanded
17 public health isolation and quarantine measures; and
18 promoting the regionalization of emergency management
19 programs.

20 The overarching goal of the amendments to
21 Title 35 is to provide a more efficient and effective
22 way for the Commonwealth and local governments to
23 prepare for and respond to all-hazard disasters, whether
24 it's a notice event or a no-notice event; doesn't matter
25 what causes it; we have the responsibility to aid our

1 citizens in a time of need, and that's what we call
2 all-hazard response.

3 The natural disasters of Hurricane Irene and
4 Tropical Storm Lee, wild fires in the western states,
5 and the recent tragic shootings in Colorado and
6 Wisconsin and just yesterday we heard about Texas, are a
7 constant reminder of what our business is all about.
8 Most days, our agency is out of the public's view.
9 During those days, we're behind the scenes doing the
10 planning and preparing that is crucial to successfully
11 respond to an incident. But when a disaster or
12 emergency hits, sometimes with advanced warning, but
13 many more times with no warning, we must come through
14 for our citizens.

15 As our new PEMA motto states: Hope is not a
16 plan, and failure is not an option. I believe the
17 proposed changes to Title 35 will further enhance
18 emergency management capabilities across the state, the
19 county, and the local levels. The end result of
20 enacting this legislation is that the citizens of our
21 Commonwealth will be better protected in the event of a
22 future disaster or emergency.

23 Mr. Chairman, thank you for introducing
24 House Bill 2562 and your leadership on this important
25 matter. I also thank Chairman Sainato and many members

1 of the Committee that have cosponsored this bill for us.
2 On behalf of Governor Corbett and the 12 million
3 Pennsylvanians we serve, I also thank the members of
4 this Committee for your continued support of PEMA and
5 our partners in public safety across the state.

6 I believe that with Governor Corbett's
7 commitment and your support of our mission, PEMA will
8 continue to move forward and become the premier
9 emergency management agency in this nation. I
10 appreciate the opportunity to be here today, and will be
11 happy to answer any questions the members may have.
12 Thank you.

13 CHAIRMAN BARRAR: Thank you, Director, for
14 being here today and answering some questions. I just
15 had -- you talked earlier in your testimony about some
16 of the federal initiatives that are being rolled out
17 there. How do you go about complying with these? I
18 mean, are they just directives that come down to you?
19 Do they --

20 MR. CANNON: Normally, --

21 CHAIRMAN BARRAR: -- a lot of regulatory
22 changes, that type of thing?

23 MR. CANNON: What they do is, they tie their
24 changes into what is called the grant guidance that we
25 must follow to secure the federal grants. And so in

1 some cases, they're actually in legislation. In 2007,
2 after Katrina, the federal government passed a bill
3 called the Post-Katrina Reform Act; and it actually made
4 changes to what's called the Stafford Act, which is the
5 federal enabling legislation which we adopt here in
6 Pennsylvania. If we don't do that, then the money we
7 get that supports our county emergency management
8 programs and our homeland security programs will not
9 come. So it's very much like PennDOT funds and other
10 money that comes from the federal government. They tie
11 the requirements to the grant guidance on receiving the
12 money, generally.

13 CHAIRMAN BARRAR: Are these initiatives
14 sometimes onerous in creating problems for you, or most
15 of the time they work in cooperation with the directors
16 of the different emergency management?

17 MR. CANNON: Most of the time, they are --
18 they are cooperative. If there's anything that causes
19 us difficulty, it's that they often come with very short
20 time lines; and the need then for us to turn a document
21 around and get it back to the feds in the short time
22 lines are extremely difficult in state government. And
23 that's not just in Pennsylvania; that's in any state
24 where there are series of approvals. For us to get
25 certain things approved, we approve them; they have to

1 go to the comptroller. They have to be signed off by
2 our chief counsel; they have to be signed off by the
3 Attorney General, and that process can add 60 to 90
4 days. That's just what it takes.

5 We recently -- within the last months, we
6 received our allocation of emergency management program
7 money, which is what goes out to our county emergency
8 management agencies. For the 2011/2012 year, it
9 actually started on October 1st, of '11; we got it at
10 the beginning of July, this year. So they've put us
11 that far behind already. And with the problems of the
12 federal government and the budget and the continuing
13 resolutions, we never can really plan well; because we
14 don't have an idea of what's going to come in terms of
15 the budget. So it's not so much a matter of what the
16 requirement is, it's that that goes around it and us
17 doing it.

18 We generally are in strong agreement when it
19 comes to things like the disaster response framework or
20 the disaster recovery framework. And as many of you are
21 aware, they piloted a number of their recovery changes
22 here in Pennsylvania. The long-term community recovery
23 program that we ran in four of our areas was the first
24 time that was ever done in the country. And it allowed
25 us to say to them, It's wonderful that you're doing

1 this, but you can't raise false expectations and hope
2 for people in communities. If you're going to do these
3 kind of programs about rebuilding communities, you need
4 to make sure the resources are there for that to happen.
5 And managing that expectation has been something that
6 has been difficult for us, managing the feds creating
7 that expectation.

8 CHAIRMAN BARRAR: Right. Okay. Thank you.

9 MR. CANNON: Yes, sir.

10 CHAIRMAN BARRAR: Chairman Sainato.

11 CHAIRMAN SAINATO: Thank you, Chairman; and
12 thank you, Secretary Cannon. As you know, for the last
13 year and a half, I think we went through many disasters.
14 I remember when you first came before the Committee,
15 this was my first term as Chairman; and I didn't realize
16 we would probably be the most active committee out of
17 all the committees in Harrisburg, which is fine, because
18 I think the work this Committee does is probably the
19 most important when we're talking public safety. And
20 with the Title 35, which we're talking about, you know,
21 your office has been working, you know, to give us the
22 new insights; because things have changed since 1996.

23 MR. CANNON: Yes.

24 CHAIRMAN SAINATO: It's been 16 years;
25 technology's changed. And I remember early on, we

1 talked about the communication system.

2 MR. CANNON: Yes.

3 CHAIRMAN SAINATO: I know that was a concern
4 of yours when the police and the fire weren't on the
5 same pages; they all had different radios.

6 MR. CANNON: Yes.

7 CHAIRMAN SAINATO: What do you see happening
8 with that? Has there been any improvement? Have there
9 been changes?

10 MR. CANNON: The issue of, we call it
11 interoperability, is still a difficult one in
12 Pennsylvania; and it's been because of the way
13 communication systems have grown up over the years.
14 There are different frequency ranges that different
15 public safety people talk on. Volunteer fire-fighters,
16 in some cases, still have old low-band radios. In other
17 places, they may be in a neighboring community that has
18 a different radio and they cannot talk. The physics of
19 communication won't allow that to happen. At the same
20 time all this was changing and developing, Pennsylvania
21 embarked on building a statewide radio system which has
22 now become under the control of the Pennsylvania State
23 Police, a public safety agency rather than an
24 administrative agency. And public safety users
25 understand the needs of other public safety users. But

1 there's another thing that's happening, and I'm just
2 building up to that. And that is, at the federal level,
3 the President signed a bill to create a nationwide
4 broadband communication network; and states are going to
5 be required to participate in that program. And it's an
6 issue that we are trying to sort out in Pennsylvania
7 right now. But once the broadband system is developed,
8 it will enable statewide interoperability regardless of
9 what radio you use; it won't matter. So we say, any
10 band, any brand, you'll be able to bring it to the event
11 and communicate with each other.

12 It's interesting that -- and at another
13 point in my career, I was responsible for building out a
14 statewide radio system for the State of Florida, 17
15 state law enforcement agencies who now communicate with
16 each other. But because they built it on a broadband
17 internet backbone, now the locals are also on that
18 system; and if you're fighting a fire in Tallahassee
19 along 95 and seven fire companies are needed to come up
20 from the Miami-Dade area, they can communicate when they
21 get on the scene. Fifteen years, and we can't do that
22 in Pennsylvania. So it's important that we grasp this
23 opportunity to take advantage of technology that's
24 changed dramatically in the last ten years. So it's my
25 hope that in the near future -- now, there's one other

1 thing that you will hear more about; and that is 911 and
2 next generation 911. And that is going to require us to
3 change the way we do business as it relates to how
4 messages are delivered to 911 centers. That same effort
5 will allow us to do interoperability in Pennsylvania.
6 So the important thing is, that as we look down the
7 road, we don't -- we look horizontally and holistically
8 and that we don't allow silos to develop so that we
9 spend money over here that would have helped here and we
10 spend money over here that would have helped here; we
11 want to do it this way; and I will truly need your
12 support. But we need to fix this problem of
13 interoperability and communications.

14 When communications fail, the mission can
15 fail. And when our mission fails, people can die.
16 Whether that's a patrolman in a patrol car, whether
17 that's a fire-fighter in the building, whether it's the
18 EMS guy taking the patient to the hospital,
19 communications are truly the backbone of emergency
20 response. I hope I've -- so I do see some hope on the
21 future.

22 CHAIRMAN SAINATO: I agree with you. I
23 think that's such an important issue, and it always --
24 it doesn't seem important until the day of the event
25 when you can't communicate to the trooper or you can't

1 communicate to the fireman --

2 MR. CANNON: Right.

3 CHAIRMAN SAINATO: -- because it's two
4 different frequencies that you have to get information.
5 And I think you explained earlier on about 911 -- or
6 9/11 when we had the disaster --

7 MR. CANNON: Yes.

8 CHAIRMAN SAINATO: -- when the communication
9 system went down.

10 MR. CANNON: It was -- and if I could just
11 share one quick anecdote with you. When the second
12 tower -- before the second tower fell on 9/11 in New
13 York, there was a New York City Police helicopter flying
14 above that saw the top of the tower actually begin to
15 tilt and said over his radio, The tower is glowing red;
16 the structure's glowing red; you need to get everyone
17 out; 23 minutes before the tower collapsed. The police
18 officers in the building heard the call because of the
19 helicopter on the police frequency. The fire-fighters
20 in the building never heard that message to get out of
21 the building. That failure, you know, caused the most
22 significant loss of life the New York Fire Department
23 has ever experienced in its history; 343 fire-fighters
24 lost their lives that day. And that's what I said, When
25 communications fail, people, you know, can lose their

1 lives. So thank you so much for brining that issue --
2 because it's critical to public safety in Pennsylvania.

3 CHAIRMAN SAINATO: Yeah, I agree a hundred
4 percent. One last point, and you brought it up earlier,
5 when you talked about the pets in disasters. Do we have
6 a plan for that? I mean, because I think that's such an
7 emotional issue. People don't want to abandon their
8 pet, and you said people have died in that situation.

9 MR. CANNON: Yes. Part of -- yes, we do
10 have a statewide program. They're actually
11 headquartered in our building. It's been a difficult
12 program to fund, but we continue to support that and the
13 people; and they in turn go out and work with the
14 counties to develop county animal response teams. And
15 our State Department of Agriculture is also engaged;
16 because while we think about our pets, the protection of
17 our farm animals is also critical to our, you know,
18 farming and agricultural industry in Pennsylvania.

19 So when we had -- I don't know if you
20 remember when the nuclear plant in Japan was melting
21 down after the tsunami and there were rain storms that
22 came across -- we were actually picking up radiation
23 readings in water supplies in the United States from
24 that contaminated water coming across in the clouds.
25 And we actually had a plan developed on how we would

1 protect and care for farm animals; because if, in fact,
2 that had gotten much worse than it was -- it wasn't bad
3 at all, but we were picking up amounts of radiation. So
4 you have to have a plan for bad things before they
5 happen, so that you're not in the middle of it trying to
6 figure out how you're going to handle it. And so it
7 wasn't just pets. But I think I may have told you
8 before, my wife will leave me before she leaves our dog,
9 so -- I know that as a fact. That's the way life is.

10 CHAIRMAN SAINATO: Thank you.

11 MR. CANNON: He's her baby, and that's the
12 way it goes. Thank you.

13 CHAIRMAN BARRAR: All right. A couple of
14 the members have asked for questions. Representative
15 Tallman, please.

16 REPRESENTATIVE TALLMAN: Thank you,
17 Mr. Chairman; and thank you for being here, Director
18 Cannon. A couple questions: Under the proposal, it's
19 Section 7307.1, Use and appropriation of unused
20 Commonwealth funds. And what would be the circumstances
21 for that to happen? That's one of three questions.

22 MR. CANNON: The -- as you know, we have an
23 appropriation annually, but there's no -- we have
24 authorization, but there's no money put in it until we
25 need it. We've been trying to make sure that we have

1 disaster funds. This past year, there's a \$20 million
2 limit on that authority. We used it all. And so what
3 we have asked for is that unused funds for -- all this
4 says is that unused funds can get transferred into that
5 account if they're necessary for disasters without, each
6 time, if we ran through that money, coming back for
7 authorization. So that's basically what we're looking
8 at so that the Governor can authorize unused funds to
9 fill the authorized appropriation.

10 REPRESENTATIVE TALLMAN: Okay. Then you've
11 advocated here for a more comprehensive workman's comp.
12 coverage. What is your more comprehensive?

13 MR. CANNON: We want to make sure that our
14 volunteers are covered. The bulk of our emergency
15 response in the Commonwealth is volunteers. And while
16 we don't want to be the insurer first out the door, we
17 want to make sure that any of our volunteers that are
18 hurt will be covered by workers' compensation.

19 REPRESENTATIVE TALLMAN: Okay. Right now,
20 our local municipalities are required to cover --

21 MR. CANNON: They are.

22 REPRESENTATIVE TALLMAN: -- your volunteer
23 fire-fighters for workman's comp.

24 MR. CANNON: Not only our volunteer
25 fire-fighters, but our volunteer EMS providers as well.

1 If there should be an event where those -- that's why I
2 said, those were the first level. But if something
3 should occur where that municipal government cannot pay
4 that, maybe they just don't have the resources; maybe
5 the compensation insurance has lapsed, whatever that is,
6 we want to make sure that we're able to protect those
7 volunteers. So we're talking about being, essentially,
8 a cover of last resort for those people.

9 REPRESENTATIVE TALLMAN: So, essentially, an
10 umbrella?

11 MR. CANNON: It's like belts and suspenders.
12 That's exactly right.

13 REPRESENTATIVE TALLMAN: Then lastly, in
14 promoting the regionalization of our emergency
15 management programs, I think we have Franklinton fire
16 chief, and my company and Franklinton has done mutual
17 aid a lot. And then this morning we had two fires in
18 Cumberland County, and my company and Adams County
19 company was required to shift some equipment to provide
20 coverage; so both York County, Adams County and
21 Cumberland County seem to be working very well on the
22 mutual aid side of things.

23 MR. CANNON: Yes.

24 REPRESENTATIVE TALLMAN: So what are you
25 looking at here for this regionalization?

1 MR. CANNON: To be clear, not consolidation
2 of any kind. We want to just encourage people to do
3 what you've just described, because not in all cases
4 does that happen.

5 REPRESENTATIVE TALLMAN: Oh, okay.

6 MR. CANNON: And so that's really to put
7 some -- be able to put resources and have some authority
8 to go out and meet with people and talk about that.
9 That's all we're looking at.

10 REPRESENTATIVE TALLMAN: Thank you, Mr.
11 Chairman.

12 CHAIRMAN BARRAR: Thank you. Representative
13 Boback for a question.

14 REPRESENTATIVE BOBACK: Thank you,
15 Mr. Chairman. Mr. Director, I'm going to piggy-back on
16 the last question, because that has special interest for
17 me; and if I can just highlight the regionalization of
18 emergency management programs. But I'd be looking for,
19 what would the incentives be? How do you see it? Do
20 you see it one step under the county EMA director, or do
21 you see it as individual municipalities that if there's
22 a disaster, they would join together? Again, I'm
23 looking for incentives for them to do that, what are
24 they, if any; and number two, how do you see it?

25 MR. CANNON: Right now, just as an example,

1 we have recently -- municipal -- to be eligible for
2 certain federal disaster dollars, there are requirements
3 of local governments and county governments. In some
4 cases, local governments, to receive money after floods,
5 are required to have a flood plain management ordinance
6 adopted. Counties are required to have an adopted
7 hazardous disaster operation plan. When those things
8 don't exist, it impacts the ability then of us to get
9 the money from the feds to those local levels. So part
10 of what we're trying to do is to go out and get people
11 to work together and even to learn that if you don't
12 want to adopt your own ordinance, if the counties
13 adopted one that you sit in, you can meet the
14 requirement by adopting the county's ordinance. And,
15 Rick -- I mean, we've shown you -- remember the map?

16 MR. O'LEARY: Yep.

17 MR. CANNON: And so the effort is to make
18 sure we go out and work with everybody, work with our
19 counties and our local emergency management coordinators
20 to make sure that those ordinances are either adopted or
21 they either locally adopt it as a resolution or an
22 ordinance or they adopt the counties'. We also have the
23 ability that if it is too onerous or for whatever the
24 reasons are that a local government doesn't want to do
25 that, they can enter into an agreement with the

1 neighboring municipal government to provide those
2 services for them, so to begin to cooperate and work
3 together to make sure that at least at a baseline
4 there's a plan on how things would happen when bad
5 things happen.

6 And I've seen just recently in the paper,
7 and please excuse me, is it Douriet (phonetic) --
8 Douriet, where the town is suing their government
9 because they felt they were not prepared adequately for
10 their flooding. And for local governments, the greatest
11 protection against things like that are to have that
12 plan in place and reviewed and approved.

13 Now, in West Pittston, the federal
14 government has come in and said while they passed their
15 flood plain ordinance, they didn't enforce their flood
16 plain ordinance; and so it was adopted but not put into
17 place. And they have been told that if they do not
18 begin to change their activity by October, then there
19 will be a surcharge put on over 300 flood insurance
20 policies in that community. And it has to deal with the
21 nature of repetitive floods over and over, and that's
22 what -- but it's of great concern now in West Pittston
23 and so -- and it's not a PEMA issue; it's a FEMA issue,
24 but we are trying very hard to get the parties talking
25 with each other and working together. So that's the

1 reason for the language, so that we can clearly be out
2 there encouraging and supporting and helping local
3 governments to do that.

4 REPRESENTATIVE BOBACK: So you're not
5 looking for an entity in and of itself that it would be
6 maybe ten municipalities that have a building, that have
7 a center?

8 MR. CANNON: Not at all. Not at all. No.

9 REPRESENTATIVE BOBACK: But if they do do
10 that, that this is something that it could be amended
11 to?

12 MR. CANNON: Absolutely. You know, we do a
13 lot of our work -- even though our structure is based on
14 our counties, we do a lot of work through our regional
15 task forces; and those regional task forces are made up
16 of counties who join together through intergovernmental
17 cooperation agreements to do things jointly. And it's
18 the same people that they call on when they need mutual
19 aid for something, but it allows for an elimination of
20 the duplication of spending money over and over for the
21 same thing, when two of them might work instead of nine
22 of them; and then we can use those funds for some other
23 things. So that's the kind of regionalization we
24 encourage and support.

25 Right now, in the 911 world, we have efforts

1 going on where counties have come together because of
2 the high cost of providing 911 services, and instead of
3 buying -- let's take 13 counties in southwestern
4 Pennsylvania, each of them has a phone switch that makes
5 911 work. Well, many of those are at end of life. If
6 we went and did business as we always did, we'd be
7 buying 13 of those. But because technology has changed
8 so dramatically in the last 10 years, they're buying
9 four of them that will do all 13 counties, instead of 13
10 of them, saving millions of dollars of our 911 fund
11 money, which is, you know -- I think you've all seen the
12 Budget and Finance Committee report; the amount of
13 revenue we keep getting in is lower and lower every
14 year, so -- that's another day, sir. But that's
15 regionalization and the way it works; right.

16 REPRESENTATIVE BOBACK: Thank you.

17 CHAIRMAN BARRAR: We were talking about what
18 we could do to incentivize the counties to come together
19 and try to do some shared services.

20 MR. CANNON: Yes. Exactly. And I would
21 just share with you that right now we've got 22
22 counties, 13 in one area and 9 in another area, that
23 have agreed to come together on that regional approach
24 to doing this.

25 CHAIRMAN BARRAR: Great.

1 MR. CANNON: And so they not only improve
2 the service, but they lower the cost.

3 CHAIRMAN BARRAR: If there was legislation
4 -- I'm sorry. Representative Boback, do you still have
5 a question?

6 REPRESENTATIVE BOBACK: Thank you. Thank
7 you.

8 CHAIRMAN BARRAR: And while we're talking,
9 this is an area that we've discussed quite a bit. What
10 do you think the effect would be if we did legislation
11 to force a consolidation of the 911 centers? I mean, do
12 you think there'd be --

13 MR. CANNON: I think you'd have tremendous
14 resistance. I think that from what we've seen,
15 legislation that encourages and creates incentives will
16 take us far closer to the goal than trying to mandate
17 something.

18 CHAIRMAN BARRAR: Right.

19 MR. CANNON: And when you study the
20 Legislative Budget and Finance Committee report,
21 essentially, our money that we generate from the 911
22 fees only covers about 72 percent of the cost of running
23 the state 911 system; 28 percent is covered by local
24 county governments. And as our state revenues decrease,
25 the amount of money the counties have to raise gets

1 greater. The county commissioners are very supportive
2 of something that will lower the amount of money they
3 have to put in. And with what we're looking at in terms
4 of what's happened in the west and the northwest central
5 areas of the state already, they will move to next
6 generation 911 and reduce the amount of money that
7 commissioners have to put in to the 911 operations,
8 money the commissioners can then use for -- because that
9 money is county general fund money.

10 CHAIRMAN BARRAR: Right.

11 MR. CANNON: So it could be used for other
12 purposes. So my own feeling is, and it's just my
13 feeling, that there's a lot of support for
14 incentivizing, people cooperating together voluntarily.
15 In fact, I actually have had commissioners come to me
16 after they learned about what happened in the western
17 side of the state and said, How come we're not doing
18 that?

19 CHAIRMAN BARRAR: Right.

20 MR. CANNON: You know, people can see pretty
21 clearly that we can't keep doing business the way we
22 have been, and there's another way to do it.

23 CHAIRMAN BARRAR: Thank you.

24 MR. CANNON: Yes, sir.

25 CHAIRMAN BARRAR: Representative Hutchinson.

1 REPRESENTATIVE HUTCHINSON: Thank you. I
2 just wanted to touch base on the legislation where it
3 talks about the Commonwealth Disaster Recovery Task
4 Force. And I'm trying to get a handle on why that has
5 been a statutory setup and -- I mean, even in the bill
6 itself, it's talking about this in sort of a loose
7 manner. It doesn't talk about exactly who's on it. It
8 says, for example, that you can invite others to be part
9 of it, etc., etc. And I'm trying to figure out why that
10 can be delineated in the statute when you already have
11 the PEMA council and they could just do this as part of
12 their duty to look at events after the fact and make
13 recommendations for the future, why that has to be
14 delineated and why the council just can't take that as
15 one of their duties to do that function and then they'll
16 figure out themselves who can be part of that etc., etc.

17 MR. CANNON: Excuse me. Just let me check
18 with my person here for a second. Vince, are you
19 familiar with that one?

20 (Whereupon, a brief discussion was held off
21 the record.)

22 MR. CANNON: That's what I thought, too.
23 You're exactly right. The Disaster Recovery Task Force
24 is kind of an ad hoc group that comes together whenever
25 needed. As we went around through all the hearings and

1 talked to the locals in the counties and the people that
2 were involved, there was a belief that disaster recovery
3 needed to be more permanent than that. But to your
4 point, it could probably be made a permanent committee
5 within the emergency management council that the bill
6 creates. But that was the idea that was to put more
7 attention on recovery rather than having it be an ad hoc
8 program. And so, by having a standing committee, there
9 would be disaster recovery planning efforts focused at a
10 very high level that were ongoing all the time. And
11 that was the intent, to raise the level of it.

12 REPRESENTATIVE HUTCHINSON: Okay. I
13 appreciate that. I mean, I think it is something we
14 should talk about, whether -- I mean, in some respects
15 it is made more than ad hoc by putting it in the
16 legislation; but then as you describe it in the
17 legislation, it's not -- it's still a loose structure,
18 because it says you can add new members if you want. I
19 mean, I think it's more important that the duties be
20 recognized as duties that have to be done on an ongoing
21 basis and then, you know, if PEMA itself and the counsel
22 can figure out who should be part of that, and as time
23 goes on, you know, how that function carries out.

24 MR. CANNON: I don't think we're in
25 disagreement with you at all.

1 REPRESENTATIVE HUTCHINSON: Thank you.

2 MR. CANNON: It's just -- and we certainly
3 saw after last year's floods, there is a whole lot of
4 attention being paid to recovery now at the federal
5 level and at the state level than had been in the past.
6 And that recovery needs to be more than moving people to
7 a shelter. You know, it must be much more than that.
8 And so, again, I think the feeling was just, they put in
9 the law; it will be dealt with, versus people saying, if
10 we haven't had an event for a while, I'm not going to
11 pay that attention to it. You can't do that. And
12 preparedness, again, as I said, being ready before the
13 event happens; so preparing for the recovery is just as
14 important; making sure we have all those resources in
15 place.

16 REPRESENTATIVE HUTCHINSON: Thank you.

17 MR. CANNON: Yes.

18 CHAIRMAN BARRAR: Thank you, Representative.
19 Representative Barbin for a question.

20 REPRESENTATIVE BARBIN: Thank you. And,
21 Director, thank you for your testimony; and I want just
22 say publically that you've made a lot of changes
23 throughout the course of these public hearings that have
24 reached a lot of consensus with people that generally
25 have, you know, slightly different ways of looking at

1 things. So the bill, as it stands right now, is very
2 strong.

3 MR. CANNON: Thank you.

4 REPRESENTATIVE BARBIN: One of the areas
5 that I was looking at that I was wondering whether this
6 should be in the bill or not is, we have -- the bill, as
7 it currently states says that you've got to have your
8 operations plan and you've got to have a mitigation
9 plan. And if you don't have those, that there can be
10 penalties associated with the -- that you have to have
11 some power, and the power is that you can withhold
12 either federal or state moneys if you don't meet those
13 plans. And I think that's -- you have to have that at
14 the state level.

15 The one other thing, though, and I'm
16 wondering if there isn't either a -- that should be part
17 of the penalties or should be part of an incentive is
18 what you started your testimony with this morning, which
19 was, you've got to have interoperability of these radio
20 systems. Is this the time for us to maybe put a carrot
21 in this bill that says, From this point forward, if your
22 spending is on -- is consistent with interoperability,
23 then you are entitled to some to at least apply for
24 additional grant moneys? Because it sounds like the
25 really underlying problem that we still have in

1 Pennsylvania for disasters is, how do we make sure that
2 we don't have a situation like New York where the
3 firemen don't hear the helicopter?

4 MR. CANNON: Yes.

5 REPRESENTATIVE BARBIN: So is there
6 something we can do, since we have this bill here, to
7 try to get them -- you can't change what they bought in
8 the past.

9 MR. CANNON: Right.

10 REPRESENTATIVE BARBIN: But you could say,
11 As of January 1st, 2015, you can't buy any more things
12 that won't fit in to the overall system. So if we're
13 going to a statewide system that allows information to
14 be accumulated from any system, is there some way of
15 moving them forward, you know, in either including in
16 the definition of what the county operation plan is or
17 in the mitigation plan, some way of saying, going
18 forward, you have to be on the same page as whatever
19 PEMA's on?

20 MR. CANNON: I think you could probably --
21 we would develop some requirement as it related to grant
22 funds that radios purchased with grant funds must be
23 interoperable with, you know, other radios purchased
24 with grant funds. The thing that happens is that the
25 vendors of radios control the marketplace right now, and

1 so they will tell somebody that if you buy my radio it
2 will be interoperable with somebody else's. But the
3 truth of it is, when you buy digital radios at the level
4 we're talking today, they operate on a different control
5 channel that makes the digital signal work, and they're
6 proprietary. So no matter what they say to you that it
7 will work, they do not; and we create islands. So when
8 we move resources across the Commonwealth, what we did
9 during the flood was we actually used some of the
10 State's 800 radio frequencies and we passed out handheld
11 portable radios to people so that as they came into the
12 area where the flooding was, they could communicate back
13 at least to the State EOC and then we would relay
14 communications back and forth from the locals. So it is
15 an ongoing issue, but how to incentivize people to do
16 that is extremely difficult.

17 Now, there -- you know, the federal --

18 REPRESENTATIVE BARBIN: If you had a
19 requirement that said, You can do whatever you want, but
20 it has to be approved by PEMA. If you don't spend -- if
21 whatever you spend the money on is fine; but if you want
22 additional grant moneys after this date, you have to
23 purchase one that is approved. Like, we have lists of
24 approved vendors for lots of different agencies.

25 MR. CANNON: Yes, we do.

1 REPRESENTATIVE BARBIN: And I'm just
2 wondering if the -- really the underlying safety says,
3 We need an interoperable system, why shouldn't we be
4 putting that in this bill?

5 MR. CANNON: I think if they would be
6 required maybe to submit their plan for interoperability
7 that goes along with the grant funds, then over time we
8 would reach that place where you would like to be. The
9 other thing that's happening is that the federal
10 government, the FCC, is changing what they're allowing
11 first responders to talk on. There's an issue right now
12 called narrow banding, and it has to do with the width
13 of a signal, a radio signal; and they're saying now that
14 you can only use half that space so twice as many people
15 can talk within that space.

16 Well, for many radios, they're so old that
17 they can't be changed -- the software can't be changed.
18 They have to buy new radios to narrow banding. So they
19 have, essentially, forced emergency responders to buy
20 new radios. And it's been extremely difficult for
21 people to pay for that in a number of places.
22 Additionally, without talking to a lot of people,
23 there's a section of frequency called the T-band; that's
24 what it refers to. It's old television band stuff that
25 was abandoned a long time ago. In the President's bill

1 that I talked about nationwide broadband networks for
2 public safety, they said, If you're on that frequency
3 range, you must be off of it within ten years. What
4 they didn't realize, if you look in our state and some
5 of our counties, 70 and 80 percent of what the
6 volunteers are using is that frequency; so the federal
7 government has created a tough issue for us.

8 So I think that something that strengthens
9 our ability to plan towards interoperability is
10 something that's very positive, and it lets people -- if
11 you're going to get grant funds, at least you're going
12 to have a program that lets you begin to do that. Now,
13 eventually it is my hope that when we get a statewide
14 broadband network, once you have a broadband network in
15 place, and what we're trying to do is leverage money
16 that's already been invested by building a system of
17 systems that are already out there and paid for, tying
18 them together; then any radio you have, you run it
19 through a switch that gives it a digital IP address and
20 you do that with every radio that comes in, if you think
21 about it coming into the cloud. And once there, you can
22 tie them together so that anybody can talk to anybody on
23 any radio. That technology exists today. It's being
24 done in the state of Florida every day. And it's not
25 that -- so it's not a technology issue as much it is a

1 finance and a government's issue that causes the problem
2 of interoperability. Technologically, interoperability
3 today is pretty easy. But how do we fund the changes
4 and the governance of it to incentivize people to move
5 in that direction are important.

6 I mean, there have been tragedies; New York
7 is a great example, but there have been local tragedies
8 as well, where a patrol officer gets involved in a
9 situation where there's a traffic stop and a shooting,
10 needs help, but they're not on the frequency of the
11 police departments around them who could come and help.
12 And because they don't monitor each others channels,
13 they don't know that -- whereas, you know, if
14 everybody's able to talk with each other, and you're in
15 trouble, then you can pick up the mike and call and 30
16 other departments can hear you.

17 So those kind of tragedies really have
18 happened; they really exist; they go on. You'll all
19 remember Columbine. There was a school teacher in
20 Columbine who had his cell phone, and he told them where
21 he was and he laid there for over three hours talking to
22 them on the phone. There were three different SWAT
23 teams in the school. They had never trained with each
24 other, nor could they talk to each other; and they were
25 afraid to go after the guy because they were afraid

1 another SWAT team would see them and shoot them, and the
2 man died due to the failure of communications and
3 interoperability. The real tragedy is, they all had a
4 common operating channel in their different radio
5 systems that would have allowed them to talk with each
6 other, and they never trained on it; and they didn't
7 even know that it was in their radio to be able to do
8 that.

9 Every time we have one of these extreme
10 events in the United States, the good part is, we learn
11 lessons. And, at that time, I went back to Pittsburgh
12 where I was the Public Safety Director; and there were
13 four SWAT teams in that jurisdiction: the cities, the
14 counties, the feds, and the United States Postal Service
15 had a SWAT team. And we brought them all together and
16 said, Guess what? You're going to train together.
17 You're going to learn to know each others names. You're
18 going to know how to talk to each other on the radio
19 before something bad happens. And so we learn those
20 lessons. But you've really hit on something,
21 Representative; and it's critical.

22 CHAIRMAN BARRAR: Thank you, Representative.
23 One last question from Representative Tallman.

24 REPRESENTATIVE TALLMAN: Oh, just a comment.
25 It's either already in effect, interoperability by the

1 federal government, or it will be within the next month
2 or so; and there's federal money tied to that and -- by
3 the selling of the channels that we're going to --

4 MR. CANNON: That's the national broadband
5 I'm talking about, 700 megahertz. And there is a plan,
6 but they haven't auctioned off those channels yet to see
7 how much money's going to be available to fund the plan
8 and the implementation; but you're absolutely right.

9 REPRESENTATIVE TALLMAN: Well, the money
10 will be after you've put the radio system in. Then
11 you'll get the federal money, so -- which is somewhat
12 backwards, because Adams County's going to change.

13 MR. CANNON: It is going to change.

14 REPRESENTATIVE TALLMAN: And York County,
15 by the way, is totally -- well, I won't say totally; but
16 it's been a thorn in my flesh since the day they went on
17 board; and we have a fire chief back here from York
18 County who will say the same thing. And we probably had
19 someone allegedly die because of the interoperability
20 issue in Nashville, York County. So, you know,
21 interoperability was there; the specs were there in 2001
22 after 9/11.

23 MR. CANNON: You're exactly right.

24 REPRESENTATIVE TALLMAN: And why that didn't
25 happen with York County radios, I'm not sure.

1 MR. CANNON: And that's why I say to you
2 today that it's not a technology issue.

3 REPRESENTATIVE TALLMAN: It's not.

4 CHAIRMAN BARRAR: Director, I want to thank
5 you for giving us 20 minutes today of your time. It's
6 the longest 20 minutes --

7 MR. CANNON: Longest 20 minutes.

8 CHAIRMAN BARRAR: -- in a hearing that -- so
9 let's thank you here. I think we could probably keep
10 you here for another hour asking you questions and
11 stuff. It's of a lot of interest to us, and we are
12 going to do a hearing on the 911 system. I think it's
13 very important. But I want to thank you and your agency
14 for all your help in this.

15 MR. CANNON: And, sir, if I could thank
16 each and every one of you for the support you've shown
17 PEMA this last year and a half. It makes our job easier
18 to have you all who understand the importance of the
19 work we do, and I want you -- we, me and our agency,
20 truly truly appreciate all your support. Thank you so
21 much.

22 CHAIRMAN BARRAR: Thank you. Okay. Moving
23 on to our next testifier, Mr. Dennis Colegrove, who is
24 the Emergency Management Director for Tioga County.
25 Mr. Colegrove, you're welcome to start.

1 MR. COLEGROVE: Okay. Good morning. Thank
2 you for creating this opportunity for me. It's not
3 something I normally do, come out to these things. I'm
4 basically a responder for the last 37 years and stuck up
5 in a little rural county, up in Tioga County,
6 Pennsylvania. And I've been involved in this business
7 for a long time; and I can tell you that with this draft
8 legislation, I'm quite excited to see this moving
9 forward. It's been a long time coming. As was
10 mentioned, it's been many, many years since there's been
11 a revision; and we worked hard for a long time to get to
12 this point. And, overall, I think this is a positive
13 step. I really believe, as a whole, this draft
14 legislation has some very positive points and should be
15 supported.

16 This is a very dynamic business. We're
17 faced with new challenges every day, and there's new
18 things for us to learn every day. And if you just look
19 at the changes, the massive changes in the definitions
20 section of this bill, that reflects all these new
21 changes; and they're necessary. It's important to get
22 this act up to the current wording and the current
23 terminology that's being used at the federal level. We
24 have in place already a pretty robust system across the
25 Commonwealth in dealing with major disasters, and I

1 think it has worked quite well in the past. And I see
2 things in the legislation that leave some of those good
3 positive things in place, and I believe that is
4 important. It tweaks the system without throwing out
5 policies and procedures that have worked very
6 effectively in the past.

7 There are a couple of sections I am a little
8 concerned with: Section 7503, pertaining to power and
9 duties of the county and local emergency management
10 programs. That has been greatly expanded. Although it
11 really is nothing new. Most of it is things we have
12 already been doing. Even though it's a huge list, it
13 probably is not all inclusive; and it probably can never
14 totally be completed.

15 One thing that the Director touched on is a
16 change in here though is specifically singling out the
17 animal rescue capability. And while I am an animal
18 lover as well, as I believe most people are, I just am
19 not sure I understand the need to single that out in
20 legislation that we have such responsibility for that
21 capability where there's no other response capability
22 singled out to that point. It's something we certainly
23 will be doing. We have actively attempted to build our
24 county animal response team in the past. I'm just not
25 certain legislation is the place to put that in as a

1 singular mandate as opposed to the other capabilities
2 that we work with, coordinate with our agencies, public
3 and private on a daily basis.

4 Another section, Section 7521, refers to
5 regional task forces. When I first started in this
6 business and attended my first PEMA quarterly training
7 back in 1988, my boss introduced me to the staff of the
8 neighboring counties and said, You're now part of the
9 venison coalition. Because being in that rural,
10 north-central part of the state, that seemed to be what
11 tied us together, where there is sometimes more deer
12 than people. It was obvious that we had a good mutual
13 aid system there already in place. There was a
14 relationship with trust, cooperation, and friendship
15 among the counties; and this certainly predates any
16 other designation of that area, such as Pennsylvania
17 Wilds or the Regional Task Force designation of
18 North-Central Task Force.

19 We have built on that with the Regional
20 Task Force concept, and we have formalized the bonds;
21 and I think we have done a lot of good with the Homeland
22 Security grant by working through that regional concept.
23 We are very, very far ahead of where we could have been
24 without the old regional concept and that additional
25 Homeland Security funding. Now, we all know the funding

1 is decreasing steadily. The amount of dollars from the
2 federal level is just not there the same as it was a few
3 years ago. Sustainability of the task force is, from a
4 funding standpoint at least, looks grim. But I'm
5 confident that with the mutual bonds we have formed will
6 continue in some fashion regardless of what funding is
7 there. It may not be as formal, but I believe we will
8 continue on in some fashion with regional task forces.

9 The funding itself has caused problems
10 though. As you can imagine, many times there are
11 dollars to make decisions over. There are a lot of
12 different opinions of how that's to be done. We have
13 gone through our share of challenges in that respect.
14 One of the best solutions that we came up with, as well
15 as several other task forces in order to deal with some
16 of these challenges, was to hire an outside nonprofit as
17 a fiscal agent. I believe it's one of the best things
18 we ever did. There's still been some struggles, but
19 it's far better than what we went through with having a
20 county as the designated fiscal agent. With one county
21 in the task force singled out to handle the money,
22 there's an undue amount of responsibility, as well as
23 authority, both of which can be either abused or
24 overused. The current task force model is government by
25 a representative, generally the EMA coordinator from

1 each county serving together as the executive board.
2 In this fashion, all counties are equal and have equal
3 say in how that money is to be handled. When one county
4 is a fiscal agent, other elected and appointed officials
5 become involved, many of whom have their own agenda not
6 necessary in line with the cooperative regional
7 response.

8 County commissioners and others from a
9 single county gain much control over the amount of
10 fiscal information that is shared, policies and
11 procedures pertaining to the funding and expenditures
12 and even supervision of employees who should be doing
13 task force work. It is a very real possibility the
14 executive board of the task force can get shut out from
15 factual information or decision making if a
16 strong-willed county is the fiscal agent.

17 The other side, I experienced firsthand, as
18 the fiscal agent for our task force for a period of
19 three years. It is an overwhelming job for any,
20 especially small county, to take on with limited staff.
21 The amount of time spent to keep up with the information
22 to make sure the proper checks and balances are in
23 place, to make sure that the full understanding of what
24 is going on with the money is at all times is just --
25 and the result -- my entire county emergency management

1 program suffered while I was that fiscal agent. I did
2 not have time to do much else that the county expected
3 of me. So I don't believe it is prudent to have in the
4 legislation that would mandate a county as the fiscal
5 agent for the task force. So the real solution is to
6 continue with an outside contracted fiscal agent to
7 handle task force finances. Without it, we'll go back
8 to creating undue conflict within the task force, as
9 well as being in conflict with another section of this
10 very Act, the one that states the coordinator shall not
11 be assigned any duties that will interfere with the
12 duties as the coordinator. So I would urge that that
13 paragraph be struck.

14 I understand there may be some federal
15 policies and grants that may change in the future that
16 may change this, but I don't believe the legislation in
17 this state is the place to mandate that requirement on
18 the counties.

19 The other comment I would like to make
20 refers to Section 7706, pertaining to workers'
21 compensation; and I know that question was raised to
22 Director Cannon. The monetary benefits that are
23 specified in the current law are hopelessly outdated,
24 and they really don't reflect the amount of respect we
25 should be paying to the volunteers who assist us with a

1 county; and this is not to replace anything with the
2 working with the normal responders, the volunteer
3 fire-fighters, the volunteer EMS people. We're talking
4 about the volunteers who support our emergency
5 operations in disasters, the people like the amateur
6 radio operators that we may be in touch with to go out
7 there and provide that back-up communication when
8 everything else fails or that we may ask to go out and
9 see how high is this stream in an area that does not
10 have remote monitoring capability. And they get out of
11 their vehicles, slide down a bank into the river and are
12 lost.

13 The dollar amount in the Act is just not
14 sufficient to give them the proper respect for the
15 tremendous job that they do for us as volunteers. So
16 tying that to a workers' compensation, I believe, is a
17 much more fair and honorable way to honor these
18 volunteers who help us on a daily basis.

19 I'm sure there are many other things I could
20 talk about, but those were the basic main points I
21 wanted to make. And I thank you very much for this
22 opportunity to speak to you, and I'm open for questions.

23 CHAIRMAN BARRAR: Okay. Great. Thank you
24 especially on enlightening us to the situation with the
25 workers' comp. And I just said to my executive director

1 that that's something we really do need to review and
2 see what we can do to help these guys. It is archaic
3 the way the law works today. Are there questions here
4 from the members? Any of the members have any
5 questions? (No response.) Well, thank you for your
6 testimony. We truly appreciate it.

7 MR. COLEGROVE: Thank you.

8 CHAIRMAN BARRAR: Next on our agenda is Mr.
9 Elam Herr, Assistant Executive Director for the
10 Pennsylvania State Association of Township Supervisors.
11 Mr. Herr, thank you for being here; and you can begin
12 when you're ready.

13 MR. HERR: Thank you, Mr. Chairman, members
14 of the House Veterans Affairs and Emergency Preparedness
15 Committee. My name is Elam Herr. I am the Assistant
16 Executive Director for the Township Supervisors
17 Association. We are a non-profit, non-partisan
18 association appearing here today on behalf of our 1455
19 townships throughout the Commonwealth; and I do
20 appreciate this opportunity.

21 Just a little background, first of all.
22 Townships comprise about 95 percent of the land mass in
23 Pennsylvania; and it also encompasses about 5.5 million
24 people, about 44 percent of the population. Townships
25 are very diverse, comes from as small as less than 200

1 population to almost 60,000; so we have a wide gamut of
2 representation here. Mr. Chairman, you have a copy of
3 my testimony; so I'm not going to read it today. You
4 and your staff and the rest of the members can read it
5 at your leisure and try to decipher it and then if you
6 have any specific questions, as you know, I'm always
7 around to try to answer those.

8 I will make some general points on a couple
9 of major issues that we see with the legislation, and
10 then I'll just highlight a couple of the technical
11 aspects. First of all, I want to say and also thank
12 PEMA, the Pennsylvania Emergency Management Agency;
13 because since 2008 we have commented on proposals to the
14 change to Title 35. We made massive suggestions back in
15 2008; held several meetings with the Department, and I
16 am happy to say that at this time, this draft has come a
17 long way since the first meeting. At that time, we were
18 vehemently opposed to some of the proposals that were in
19 that draft. The Department, in sitting down and
20 discussing with them, they understood where we were
21 coming from and did make appropriate changes. That is
22 not to say that we don't have some concerns with the
23 present draft. But again, I have to give credit to the
24 Agency for listening to us.

25 Big problem that we have with this

1 legislation, and again, it carries over in a lot of
2 legislation; and again, you hear this from me frequently
3 from time to time; it's the unfunded mandates that are
4 placed in this legislation. There are specific places,
5 and I'll hit one; and when I get to the technical
6 aspects, it says, you know, specifically municipalities,
7 counties, are responsible for funding the operations;
8 but it doesn't say anything about the state providing
9 certain grants or funding to those operations. As a
10 matter of fact, the one place it actually deletes a
11 section that deals with grants from the Commonwealth.

12 Also, one of the things, and the Director
13 mentioned in his testimony, was the emphasis on
14 coordination and communication. We think this
15 legislation does that. Probably doesn't go as far as
16 all of us would like. When you hear the horror stories
17 as the Commissioner was saying, what happened in New
18 York, you probably could have as many of those, not as
19 drastic as New York, but also in Pennsylvania. The
20 communication factor is mandatory. When you have
21 different personnel out there, they have to be able to
22 communicate.

23 I'll give you an example that isn't
24 addressed in this Bill, but just a prime example:
25 Buildings, large commercial buildings; a lot of times

1 our emergency personnel enter those buildings and they
2 lose contact with the outside. What is going on? Why?
3 Because the building material blocks the signal. We've
4 pushed to have legislation to require repeaters in
5 buildings when they're being built, so that when the
6 emergency personnel runs into that building and doing
7 what is expected of them, they have contact on the
8 outside; so that communication is very much needed.
9 And, again, as I said, I think this legislation attempts
10 to get to that point.

11 The other thing that this legislation is
12 attempting to do is show that we are -- and I'm talking
13 now not only with the municipalities, but also the
14 counties -- we're partners with the state. We, in a lot
15 of things that we do, are partners. We're not a special
16 interest that comes in front of the Legislature and asks
17 for things. We do things that the state cannot do for
18 the same group of people, the residents and the
19 taxpayers.

20 The problem that we have here, though, in
21 being a partner with the state, again, is a lack of
22 funding to carry out a lot of what is here. And I think
23 the previous two testifiers made that comment, also,
24 that there isn't a sufficient amount of money; and that
25 has to be seriously considered. Again, the Director

1 made the statement, and it comes down to the real fact
2 is, all these disasters are local. When a disaster
3 hits, the locals respond first, whether it's the fire
4 company, the police, the EMS; and then sometimes it's
5 even our municipal road workers who respond to an
6 emergency before anybody else, so it is local; and it
7 has to be -- you have to think about that.

8 Another thing that we're a little concerned
9 with is the overreaching theme of the hierarchy
10 emergency management. It's always been assumed or the
11 premise has been that it's the federal, the state, the
12 county and the locals; and each one has a little bit of
13 an authority to the next one down. That has to be
14 continued. For the concept of just having the state set
15 up everything from the perspective of a statewide
16 perspective, it sounds good on paper; but again, if you
17 just talk among yourselves, Pennsylvania's very diverse
18 and one size does not fit all. What might be good for
19 York County is not going to be good for up in Wyoming
20 County. The overall picture may be; but when it gets
21 down, you have to follow that hierarchy, because every
22 disaster is local.

23 With that said, Mr. Chairman, I'll just
24 highlight a couple of the technical aspects in the Bill
25 that we think need to be brought to your attention.

1 Section 7102, it deals with terminology. And in there
2 it uses the term local government and local governing.
3 Again, terms that we would understand, especially from
4 the standpoint of where I'm coming from. But in the
5 Act, it's not defined; it's not used frequently. What
6 is used is political subdivisions, municipalities, and
7 counties. So we think there are technical changes that
8 just have to be so it's consistent. So, you know, one
9 of the things we got to realize and, Mr. Chairman, you
10 stated it out, this Act hasn't been amended since, what,
11 16 years, something like that? Again, most likely, if
12 you pass something, it's got going to be addressed for
13 another 16 to 20 years. That's the way Harrisburg
14 works. So we need to have something clear and concise
15 so that when we're not here to say what was the intent,
16 those people know what the intent is; and that's some of
17 the things that we're talking about here.

18 Some things are, like, you know, more
19 complicated and need to be addressed. Section
20 7305.1(c), authorizes PEMA to withhold federal or state
21 funds from a political subdivision that does not have in
22 effect a current emergency management plan. What funds
23 are we talking about? Again, we ask the Director, he
24 may say the federal funds that are coming down through
25 the state funds that are appropriated to his agency

1 during your budget process. I contend the way it's
2 written, it'd be all state funds. It would be the
3 liquid fuels funds or anything else that the Agency may
4 want to withhold. We would oppose that. We would
5 oppose that, you know, vehemently and enough to even
6 oppose the legislation; but it's not clear. So, again,
7 today, the Director could say, no, it's only the federal
8 funds. But what's the next director going to take it?
9 And again, agencies are very commonplace in doing --
10 passing policies which don't even go through the
11 regulatory process. It's a concern that we have.

12 Timing: Section 7501 requires the municipalities and
13 counties to establish an emergency management program
14 within two years of the effective date of this section.
15 Again, two years sounds like a very long time; but
16 before the counties and municipalities can respond,
17 PEMA's going to have to come up with their regulations.
18 Under that process, it can take two years; so it
19 shouldn't say two years of the effective date of this
20 Act. It should say two years of the effective date when
21 PEMA has adopted their regulations; so that why should
22 the counties go out and adopt the regulations today only
23 to find out that they're not in compliance with what
24 PEMA wants and then find out PEMA can withhold their
25 funds? Again, when I'm talking about unfunded mandates,

1 there's not only an unfunded mandate but a waste of
2 money.

3 A funding issue, that's 7502; stipulates
4 that PEMA will determine the requirements of the
5 education -- continuing education for the counties and
6 local emergency coordinators; and again, it doesn't
7 identify any funding. It says they have the right to do
8 this. They can stipulate whatever the training's going
9 to be, and again, without any regard to municipal and
10 county budgets. Again, in working with PEMA presently,
11 it wouldn't be a concern. But again, as I said earlier,
12 I'm looking at not only today but down the road.

13 A confusing provision: As an example, 7503.
14 It places the responsibility on the municipality to
15 ensure the continuity of county operations. What does
16 that mean? Are the municipalities going to tell the
17 county what to do for their continuing operations? It
18 may mean something totally different than what I'm
19 looking at, but that's what it stated there. Again,
20 clarification.

21 Section 7503(c), an interpretation: It
22 states there that the municipalities to have a municipal
23 operations center established and operational at all
24 times. Does that mean that a township has to have a
25 center up and staffed? I don't think that's the intent.

1 I think the intent means that they have the center or
2 location available that should an emergency happen that
3 it can be manned and it can be properly staffed and do
4 what the Act requires. But again, how's that to be
5 interpreted?

6 Another issue on funding, Section 7511. It
7 says that the political subdivisions may make
8 appropriations to carry out the activities of this
9 proposal, but says nothing of state funding. It also
10 says in another part that if you don't fund it, you're
11 going to have funds withheld. So on one hand the state
12 is saying under this legislation, you may do this; but
13 if you don't do it, you will have your funds withheld.
14 Clarification needs to be done. And I'm not saying that
15 the municipalities don't want to do it. What I'm saying
16 is that that still has to be made clear.

17 To talk about workers' compensation, that is
18 an issue; and we looked at it, too. But we're looking
19 at it not only as the previous gentleman stated for
20 those volunteers that just come out of an emergency,
21 we're looking at it as all volunteers that are out
22 there. And when you look at just using workers'
23 compensation as your basis for, what do you do when
24 actually the volunteer may be retired or unemployed?
25 Now are you saying that they will get the minimum state

1 wage? We don't know what the intent is to be.

2 If the volunteer -- actually this section
3 should be divided into two things. One is, should the
4 volunteer, and hopefully it doesn't happen, but in
5 reality it does, gets hurt; there has to be one set of
6 criteria for that. And the worst of both cases is if a
7 volunteer gets killed; then you have to have a set of
8 criteria of what remuneration. And although any
9 remuneration you put into it doesn't bring back the
10 life, that has to be addressed and looked at.

11 Mr. Chairman, there are a number of other
12 sections that I address. Again, it may sound like we
13 have a lot of problems with this Bill. It's not that.
14 They're technical. I think ones that can be easily
15 addressed and corrected. But we offer these comments to
16 make sure that there is a clarification that we can move
17 forward. As I said, we started on commenting to PEMA on
18 this Bill in 2008. You know, we could sit here five
19 years from now and still be picking at this Bill. I
20 think it needs to be addressed and move forward.

21 Emergency management, you know, has long
22 been recognized as a critical responsibility of all
23 governments: state, county, and the locals. The only
24 thing we're asking for is, if you pass something like
25 that, make sure there is adequate funding that we can

1 carry it out. You know, it's good to say that we're
2 going to have a radio network that everybody can
3 communicate with everyone else on. It's another thing
4 to have to fund that system. Just to give you one
5 little horror story from the county that I come from:
6 years ago, the county got the same vendor that the state
7 was using for their radio network. That vendor went up
8 the spout, but after our county had spent millions of
9 dollars on the system. We are now going through the
10 process of a new vendor getting the system in, but there
11 was a lot of wasted money there. Again, the whole side
12 of communication is paramount. And the county took the
13 lead on it. The municipalities were all participating
14 in it. But we have nothing to show for it. And if the
15 state is going to require these things, then we say the
16 state should also make sure that there's money for it.

17 And the last comment that I will make is, if
18 you really want to do something that I think that would
19 make the Director and everybody else in the state
20 happier than anything, is just pass a law that outlaws
21 emergencies and disasters. And once you do that, I
22 think, you know, it would be a lot easier in
23 Pennsylvania.

24 CHAIRMAN BARRAR: Chairman Sainato has that
25 Bill.

1 MR. HERR: Okay.

2 CHAIRMAN SAINATO: Yes.

3 CHAIRMAN BARRAR: He's putting the final
4 touches on it.

5 MR. HERR: Well, thank you, Mr. Chairman.
6 If you have questions, I will try to answer them. And,
7 as you know, I'll be available back in Harrisburg.

8 CHAIRMAN BARRAR: Great. Thank you.
9 Questions? Representative Barbin.

10 REPRESENTATIVE BARBIN: Thank you. I was
11 listening to your testimony about the penalty sections,
12 and I need a little clarity on that. One of the things
13 that comes up with PennDOT is, occasionally, if you
14 don't follow PennDOT rules, liquid fuels is held over
15 the municipality as a hammer.

16 If you took out liquid fuels, like you
17 specifically said in this section that liquid fuels is
18 not applicable, are there other areas of funding that
19 you would be worried about for a township other than the
20 ones that might be the federal or state flow-through
21 dollars? Because I think -- I agree with you on the
22 liquid fuels. That really isn't a PEMA funding. It's
23 really something else, and I don't think we've made it
24 clear; but I think a change that would say liquid fuels
25 is excluded would be a good change. Is there anything

1 else?

2 MR. HERR: Foreign fire, foreign casualty
3 insurance, money that comes back. That's money that
4 comes back from the state based on insurance policies
5 written that goes to fund police pensions; and also,
6 foreign fire goes back to the volunteer fire companies
7 for their relief associations. They would be two that I
8 would say shouldn't be; because again, they would affect
9 the pension plans, and we already have a problem with
10 pensions in Pennsylvania and also the benefits that
11 fire-fighters and other emergency personnel we've heard
12 from. There's probably some other ones, but those two
13 come to my head right now.

14 REPRESENTATIVE BARBIN: Those are the main
15 ones. Thank you.

16 CHAIRMAN BARRAR: Any other questions?
17 Anyone down here? No? (No response.) Thank you for
18 your testimony.

19 MR. HERR: Thank you, sir.

20 CHAIRMAN BARRAR: Appreciate it. All right.
21 Our next testifier is Mr. Gerry McAteer, Central
22 Regional President of the Keystone Emergency Management
23 Association. Thank you for being here today, and you
24 can begin your testimony when you're ready.

25 MR. MCATEER: Thank you very much. Thank

1 you very much, Ladies and Gentlemen, for having us here
2 this morning and allowing us to testify. As
3 Representative Barrar mentioned, my name is Gerald
4 McAteer. I'm the Emergency Management Coordinator for
5 Annville Township, Lebanon County, Pennsylvania. I also
6 have the honor of being the Central Region President for
7 the Keystone Emergency Management Agency. Like the last
8 individual, I'm not going to read my entire testimony
9 verbatim. You have it in front of you. If you have
10 questions, please let me know.

11 As being the representative here on behalf
12 of KEMA, I'm a retired 20-year military veteran with the
13 Pennsylvania National Guard. I've been a 16-year
14 fire-fighter and EMT with the state of Pennsylvania in
15 Annville Township. I've been Emergency Management
16 Coordinator, again for Annville, for the last eight
17 years; worked for the Pennsylvania Emergency Management
18 for eight years. I'm currently the Director of
19 Emergency Management and Continuity Programs for the
20 Federal Energy Regulatory Commission.

21 Currently, in my volunteer capacity as
22 KEMA's Central Region President, we adamantly support
23 this Bill. Like everyone else, we do have some minor
24 changes. We've worked through the Bill for several
25 years now, and it really dates back to April 2005 when

1 the late EMA Coordinator, Harry Robidoux, from Monroe
2 County took on the effort to update this Bill in 2005.
3 Since then, we've had York County Emergency Management
4 Coordinator, past president of KEMA, Kay Carmen; Ed
5 Atkins, former past president of KEMA, also, from
6 Chester County; and currently, Wesley Hill, Beaver
7 County Emergency Management Coordinator really lead the
8 charge with PEMA in coordinating this effort in updating
9 Title 35 and getting the Bill to where it's been at.
10 There's been a lot of rewrites on it.

11 Our stakeholder community, whether it's been
12 the counties, municipalities, CCAP, Township Association
13 have all worked diligently to get the Bill where it's
14 at. As we just heard from the last individual that
15 testified, we still have some modifications and changes
16 that need to come into play, and we need to review and
17 evaluate those. But as the Bill stands today, we've
18 made leaps and bounds as to where we were at several
19 years ago.

20 As Director Cannon stated, the Bill hasn't
21 been changed since 1996. A lot of things have occurred
22 in disasters across the country, and more importantly,
23 with inside the state. One of the finite things about
24 this Bill is really to take the Stafford Act and 227
25 requirements and combining them together in this House

1 Bill and addressing a lot of the issues that we have had
2 over the years and rectifying them. We've heard about
3 mutual aid today. We've heard about communications.
4 This Bill really helps us bring that forward into one
5 consolidated format and update us and get us where we
6 need to be at.

7 And over the years, I really think that
8 we've met Mr. Robidoux's vision from back in 2005 to get
9 the Bill where it's at today. I would like to highlight
10 some of the Bill's issues and strengths that we think
11 really support the Commonwealth's wide initiative for
12 the Emergency Management Program.

13 The proposed amendment will add clarity to
14 the roles, responsibilities, and duties of the
15 municipalities and county emergency management programs.
16 Yes, there are some changes to that increased duties and
17 responsibilities that we have to evaluate moving
18 forward; but mainly we're doing those today. Are there
19 additional funding issues? Absolutely, that we would
20 like to incorporate, that we would like to get
21 additional moneys to flow down into municipalities and
22 to the county level. Naturally, we always want those.
23 We always need them to do our jobs a little bit better,
24 more efficiently, and easier.

25 I'm sure that you'll all agree that all

1 Pennsylvanians and visitors to our Commonwealth are
2 protected by the best emergency management program
3 possible. We do everything in our powers to support
4 that. Yet, sometimes it's hard to do for us, for the
5 smaller communities and municipalities like myself. I
6 believe the regionalization approach that we mentioned
7 earlier, proposed amendment, will provide the basis for
8 combining resources while still allowing to do municipal
9 oversight. I hope that more than a few small
10 municipalities take advantage of this, and I have seen
11 the KEMA Central Region, specifically, the Western
12 Lebanon County Regional Emergency Response Agency that
13 works together for the safety and security of the
14 communities of Palmyra, Mt. Gretna, South Londonderry
15 and South Annville. This task force really shows how
16 municipalities and the emergency management community
17 can share resources, manpower, support and effort,
18 whether it's on the planning, response, or recovery
19 efforts during a disaster. And that was seen during
20 Tropical Storm Lee; it really highlighted that.

21 In my township, we're looking at partnering
22 with four or five other municipalities to combine those
23 forces. How do we do things better? The mutual aid,
24 Representative Tallman, you specifically stated, your
25 fire departments do it well. Our fire departments do it

1 very well, also. But how do we enhance that through the
2 emergency management community on the planning and
3 recovery aspects, just not the operational response?

4 As far as the proposed House Bill that we
5 drafted and directed input from the county municipality
6 coordinators, the language describes the actual duties
7 and responsibilities. Yes, we do need to define those
8 even more as we move forward; but overall, we've done a
9 great job of enhancing those. Unfortunately, sometimes
10 additional motivation is needed when we look at some of
11 these planning aspects to get the right thing done, and
12 it's the carrot concept that we were talking about
13 before, What can we add value to?

14 Well, I hope that the little provision in
15 Section 707 allows for the Agency to hold the funds for
16 political subdivisions that does not follow the
17 provisions of the law, that we constantly use that as
18 the overhead and the requirement for people to do it.
19 It's a provision inside of there that we can act. I
20 think it strongly supports the aspect that it encourages
21 municipalities to move forward and do what they need to
22 do.

23 As we mentioned, many of our emergency
24 management programs rely heavily on volunteers. The
25 proposed draft will provide these volunteers with

1 workers' compensation, which we discussed at length.
2 While there's a cost to the counties and municipalities
3 associated with this, I believe the money's well spent
4 to protect all of those that we ask to go in harm's way.
5 Denny mentioned it from his county; Director Cannon
6 mentioned it; everybody's mentioned it today. We need
7 to continue to support that effort.

8 I feel the key to the successful emergency
9 response is through cooperative planning. The proposed
10 amendment strengthens planning for large events,
11 dependent-care facilities, and public health
12 emergencies. Finally, the House Bill redefines a task
13 force simply as a regional task force to better reflect
14 the all-hazardous nature of these organizations. The
15 specific provisions allowing task forces to organize as
16 a council of government will provide a way for the task
17 force to more efficiently serve the citizens. As Denny
18 mentioned, having a fiduciary body take over some of the
19 duties and responsibilities in comparison to a county
20 will significantly enhance the response efforts of those
21 task forces.

22 The House Bill that has been offered for
23 your consideration represents the combined effort of
24 many people who work in all levels of government and
25 emergency management and Homeland Security, from

1 municipalities, to counties, to state agencies, to
2 associations like KEMA. Director Cannon and his staff
3 have kept KEMA involved in the dialogue as this
4 amendment has matured, and he is in the process of now
5 presenting the draft to county EMA coordinators across
6 the Commonwealth, regularly-scheduled quarterly training
7 events. And having extensive dialogue throughout the
8 process allows us to ensure the proposed amendment
9 represents the best of our combined thoughts as the
10 emergency management community wholly.

11 I want to thank you very much for allowing
12 us to testify today and present our strong support of
13 the House Bill as it moves forward. And if you have any
14 questions, welcome to take them now or afterwards.

15 CHAIRMAN BARRAR: Do we have any questions?
16 Representative Hutchinson. Oh, I'm sorry. Nope. Looks
17 like there's no questions. Okay. Thank you for your
18 testimony. Greatly appreciate it.

19 Also, for the record, there have been two
20 testimonies submitted to the Committee: one from the
21 State Fire Commissioner and also another one from the
22 Department of Health, and we also received a letter of
23 support of the legislation from the Pennsylvania State
24 Police at this time.

25 Okay. And just a few closing remarks. I

1 want to thank our testifiers for taking time away from
2 their busy schedules to be here today. Your presence
3 and comments, no doubt, speak volumes about your
4 commitment to the emergency management community, our
5 first responders, and the safety of our citizens of this
6 Commonwealth. And we will use this testimony, what we
7 learned today, to help the process along on this
8 legislation. We look forward to continuing these
9 discussions at our next public hearing, which will be
10 conducted on Wednesday, August 29th, 10:00 a.m. at the
11 Rose Tree Volunteer Fire Department in Media, PA, which
12 is in Delaware County.

13 Chairman Sainato, do you have any closing
14 remarks?

15 CHAIRMAN SAINATO: Yeah. I'd just like to
16 echo what Chairman Barrar said. This is an important
17 issue, and I thank the testifiers who came. I thank our
18 members who come from all over the state to participate
19 today in this important issue, because this is what we
20 do. It's important. And I think public safety is the
21 number one issue in the state of Pennsylvania, and
22 that's what this Committee does as we continue to work
23 with all the stakeholders and as we move the process
24 forward. Thank you.

25 CHAIRMAN BARRAR: Great. If there's no

1 other comments from the members, this meeting is
2 adjourned. Thank you.

3 (Whereupon, the proceedings concluded at 11:54 a.m.)
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CERTIFICATE

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

Tracy L. Markle,
Court Reporter/Notary