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HOUSE OF REPRESENTATIVES
COMMONWEALTH of PENNSYLVANIA

House Democratic Policy Committee Hearing

Tax Breaks for First Responders
Monday, Aug. 8, 2022 | 1 p.m. to 3 p.m.
Representative Brandon Markosek

1 p.m. Opening remarks: Chairman Ryan Bizzarro, Rep. Brandon Markosek

PANEL ONE

1:10 p.m. Charles McGarvey Sr., *Acting State Fire Commissioner*

Q&A with legislators.

PANEL TWO

1:45 p.m. Mike Reich, Captain
City of Bethlehem Fire Department
Dave Roberts, Captain
Wilkes-Barre Fire Fighters

Q&A with legislators.

PANEL THREE

2:20 p.m. Harold Katofsky, Deputy Chief
Monroeville Volunteer Fire Co. No. 6

Q&A with legislators.

2:50 a.m. Closing remarks



Statement for the House Democratic Policy Committee

August 8, 2022

Charles J. McGarvey, Sr., Acting State Fire Commissioner

Good Morning Policy Chair Bizzarro and members of the House Democratic Policy Committee, I am Chas McGarvey, acting State Fire Commissioner. Early last Friday morning we were once again reminded of the horrors of fire with the tragedy that took place at the recent house fire in Nescopeck, the Office of the State Fire Commissioner extends our deepest condolences to the family for the loss of their loved ones, and to the members of the Nescopeck Fire Company as one of those victims was a volunteer firefighter with the Nescopeck Volunteer Fire Company.

Prior to being asked to serve in this position in March, I spent 44 years in the operations side of the fire service, with my last role as the Chief Fire Officer/Fire Marshal for Lower Merion Township, a large combination fire department located in Montgomery County. I want to thank you for giving me this opportunity to speak with the committee on some of the issues facing the volunteer fire service in Pennsylvania.

As I travel the State talking to the different fire companies and groups, the issues they face are as diverse as the diversity that exists here in the Commonwealth, and a lot of it is due to where they are situated. We

have a little bit of everything, from large urban cities to sprawling suburban communities as well as wide-open rural areas. All of these present their own unique challenges for our fire service.

We are also aware, that the number of active volunteers has diminished drastically, from over 300,000 in the 1970's to less than 38,000 today and we also know included within this number is the firefighter who runs with 3 or 4 fire companies, so he or she is counted 3 or 4 times, when really he or she is only one person. The fact is, that 38,000 number continues to decline, a fact that simply cannot continue to be ignored as this is significantly impacting the ability of municipalities to protect their citizens, and to provide reliable fire and emergency medical services.

I am happy to report that the new Recruitment and Retention program is currently being developed by the R & R Administrator and the program will consist of the administrator and three technical specialists who hopefully will be hired by the end of August to begin performing the duties of the program which is to develop, implement and sustain a commonwealth wide Recruitment and Retention program for the PA Fire Service. We also know that there is no one program that will fit all organizations so our program will assist fire departments where and when we can base on an "a la carte" approach. This however will take some time to become established

before we start reaping the rewards from this program.

Currently however, we have fewer trained personnel responding to emergencies, and most elected officials do not understand the varying levels of capabilities of their Emergency Services Departments. In addition, there is no statutory requirement for municipalities to document a standard of cover for Fire or EMS protection. Funding of the Fire and EMS services is in decline, and all areas of funding for the Fire and EMS services needs to be reviewed so that sufficient monies are made available, and appropriately distributed amongst all entities.

This is a topic that I have spent a lot of time working on, not only as a Chief of a combination fire department, but as the former Chair of the SR 6 Government Support Subcommittee. In November 2018, the SR 6 Commission released its report which developed recommendations to the General Assembly on ways to improve the fire services in the Commonwealth. In total, 27 recommendations were developed by the 39-member group include expanding the authority for local government to offer tax credits for Fire/EMS personnel, the creation of length of service awards programs (LOSAP), offering free community college or state university system tuition funding basic fire and emergency medical technician training

for all firefighters and EMS personnel to address the challenges of recruiting and retaining members.

As chair of the Government Support subcommittee, our group was tasked by the SR 6 Committee Chairs to make recommendations relative to the State Fire Commissioner and the Office of the State Fire Commissioner. In the years since the SR 6 Commission report was released, I would note that several pieces of legislation have been enacted to address several issues outlined by the report. Many of the recommendations were included in Act 91 of 2020, which received unanimous bipartisan support. The Act has helped local fire and EMS companies continue to operate in the face of declining membership and rising costs by doing the following:

- Allows counties and school districts to offer property tax credits for volunteer first responders.
- Increases loan amounts for vehicles and equipment.
- Permits the use of state Fire & EMS grants for recruitment and retention efforts.
- Elevated the Fire Commissioner to a cabinet-level position
- Changes the Fire Safety Advisory Committee to the State Fire Advisory Board.
- Expands the permitted use of funding by firefighter relief associations.

Since passage of Act 91, the Office of the State Fire Commissioner has been working to implement the changes and find new ways to grow the fire

service. The traditional methods of attracting volunteers to the fire service are no longer proving effective. The Office of the State Fire Commissioner has also been working to increase the number of courses offered online and this is something I am committed to. We understand that one of the hurdles for those interested in becoming first responders is receiving the necessary training. The Office of the State Fire Commissioner is in the process of creating online training for non-hands-on training in an effort to save fire companies and Firefighters money and time. The Office of the State Fire Commissioner, via the State Fire Academy (PSFA) is in the process of infrastructure development that will host on-line training opportunities. Currently the only on-line training offered directly by PSFA is the HazMat Awareness class, Truck Academy 1 and Truck Academy 2. Additional on-line training opportunities are currently available through Education Training Agencies (ETAs). The goal is to reduce the barriers to training so that we can reach more individuals interested in participating in the fire service.

Another recommendation from the report that could assist with retention is to update the Firefighter Relief Fund law which had not been looked at for several years. Firefighter relief associations had seen a decline in disbursements for several years. As a part of the 2022/23 budget process

language was included to stabilize the funds available to the 2,000 volunteer firefighter relief associations to enable the purchase of training, equipment, and insurance and to pay death benefits for volunteer firefighters. We are currently working with the department of revenue and Office of the Auditor General to look at what the new disbursements will be to companies. As previously reported Act 91 created the State Fire Advisory Board, once the Fire Services Advisory Board is fully appointed, I will be working with them to come up with a disbursement formula that is fair to all companies, as well as to look and see which items are eligible for relief funding and which are not. This Board will be instrumental in guiding our fire service in the years to come.

Lastly, I do want to acknowledge that we in the Fire Service also need to take some responsibility with this and change how we are doing things. We are continuing to serve in a 1960's/70's model that just doesn't work today. Since taking over as Commissioner, I have already attended 3 Line of Duty Death Funerals. I also continue to be amazed at the number of Firefighter injuries that come across my desk almost every day. We face some significant challenges, one of them being the culture of the Pennsylvania fire service. There is a saying in the fire service, that being, "there are two things firefighters hate, the first being the way things are,

and the second being change.” I believe if we want to get better, if we want to be safer, and if the fire service in Pennsylvania wants to survive, serious change is needed and must be accepted.

In closing, I want you to know that I am committed and that I stand ready to work with our fire service providers and the General Assembly, to find ways to assist our volunteers throughout the Commonwealth and create the necessary change that is needed so that we are successful.

I want to again thank you for this opportunity and I will be happy to answer any questions you may have.

Tax Breaks for First Responders

Senate Hearing Testimony August 8th, 2022

Good afternoon. My name is Dave Roberts and I am a career firefighter/emt for the City of Wilkes-Barre for the past 22 years, with the last eight of those serving in the rank of Captain.

I am also employed by a fire apparatus dealer within the Commonwealth for the past five years.

It is with these combined experiences that I hope to provide some valuable information and insight for the committee as they consider this potential legislation. I would like to extend my gratitude to all of those involved for allowing me this opportunity today.

The fire service has a deep, rich history throughout this country. More so however, for us as Pennsylvanians. Dating back to 1736 when Ben Franklin founded the Union Fire Company in Philadelphia, the need for an organized fire department was recognized. At that time, this was the first volunteer fire company in existence. Seeing its great success, many more soon began to form.

As you can imagine, much has changed since 1736. The demands on the modern-day firefighter continue to grow. From the specialized training required to keep each firefighter safe, to the apparatus that we use to respond to emergencies in our respective communities. With apparatus specifically in mind, it is extremely important to understand the major role these machines play with allowing fire departments to fulfill their mission statements to their respective communities.

In simplistic terms, firefighters (along with paramedics/emts, police officers, etc.) are problem solvers. Typically, a citizen activates the 911 system with a problem.... i.e. structure fire, car accident, medical emergency, water leak, lifting assistance, and so on. That person expects someone to show up and solve that problem. Solving those problems require tools, both physical and mental. For the purpose of this hearing testimony, we will focus on the physical, which is where fire apparatus come in. Essentially, these vehicles are our giant toolboxes that assist us problem solving. With these points in mind, it isn't difficult to see the vital importance for safe, reliable fire apparatus to respond to these emergencies and requests for assistance.

Within the Commonwealth, it is not uncommon to see a department using an apparatus that is 20, even 30 years old, as their "front line" unit. Some are using even older pieces. I am currently working with a small department in Luzerne County who has not had a new apparatus since 1985. Ideally the most opportune time for apparatus replacement is within a 10-year window. This allows departments to stay current with the latest technology and safety features, as well as maximize resale value on their purchase, which in turn lowers the overall cost of the replacement unit.

For most fire departments within the Commonwealth, especially municipal departments, this is not remotely feasible given the economic climate over the past few decades. The unprecedented effects of COVID have only served to exacerbate an already desperate situation. From the lack of workers, supply chain issue with subcomponents due to dependance on foreign countries, escalating raw material costs...all have driven up costs of new fire apparatus to unimaginable levels. We are quickly approaching a time where some new aerial ladder trucks and other specialized units could top the \$2 million mark. Although I was specifically tasked to provide testimony regarding fire apparatus, I would ask the committee to also keep in

mind that the general “costs of doing business” have also dramatically risen. Diesel fuel and costs of essential equipment, to name a few, have also risen dramatically in the wake of COVID

Taking these points into consideration, it is hopefully plain to see that help is desperately needed from our legislators. Tax incentives and low interest loans are a wonderful starting point but ultimately financial assistance in the form of grants or other means will be necessary to allow fire departments to continue to function and stay afloat. The fire service is reaching critical mass here within the Commonwealth and immediate assistance is desperately needed across the board to allow departments to remain in existence and serve their communities

In closing, I would once again like to thank the committee for allowing me to present this testimony. I look forward to answering any follow up questions you may have.