

MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
2008 (SECOND) Regular Session

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BILL NO. 317 (EC)
INTRODUCED BY:


A. B. PALACIOS, SR.

AN ACT RELATIVE TO PROVIDING THE GUAM FIRE DEPARTMENT THE AUTHORIZATION TO RECRUIT ADDITIONAL UNIFORMED FIREFIGHTERS OVER THE NEXT FIVE YEARS TO MEET THE INCREASING PUBLIC SAFETY DEMANDS OF THE COMMUNITY AND THE PROJECTED INCREASE IN GUAM'S POPULATION AS A RESULT OF THE IMPENDING MILITARY BUILDUP; THROUGH ADDING A NEW §72108, TO CHAPTER 72, TITLE 10, GUAM CODE ANNOTATED; THIS ACT SHALL HEREBY BE REFERRED TO AS THE "*FIREFIGHTER PUBLIC SAFETY EMERGENCY ACT OF 2008*".

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.**

2 *I Liheslaturan Guåhan* finds that in 1995 the Guam Fire Department had 317
3 uniformed firefighters serving the entire the island community, but today that
4 number had dwindled to approximately 276 firefighters servicing an estimated
5 population base of 177,000 residents. This reduction in the number of firefighters
6 has imposed a level of hardship on the limited number of firefighters today who
7 have to meet the firefighting and public safety requirements of today's growing
8 community. The Liheslaturan Guahan further finds that the department
9 annually realizes reductions in its uniformed firefighters due to retirement or

1 natural attrition. Because the Guam Fire Department provides critical
2 firefighting and emergency public services to the community, it is essential that
3 the department maintain an adequate minimum number of uniformed
4 firefighters to effectively provide such necessary services to Guam's residents.

5 I Liheslaturan Guahan further finds that with the anticipated increase in
6 Guam's population within five years, it is critical that public safety services such
7 as those provided by the Guam Fire Department do not deteriorate or diminish,
8 and that the agency retains the capacity to maintain the same level of services or
9 increase its ability to enhance such services to address the needs and requirement
10 of Guam's growing community. It is estimated that the military buildup in the
11 years ahead will result in an increase in population from 177,000 residents to
12 225,000 residents; such a population explosion would otherwise take a couple
13 decades based on normal population projections and growth which would
14 provide the community with more time to properly plan its public safety,
15 education and healthcare needs. This expected sizeable increase in Guam's
16 population requires that proper planning be implemented to ensure that the
17 critical firefighting and emergency services provided by the Guam Fire
18 Department is sustained through equipping the agency with necessary
19 firefighting personnel and equipment/supplies to carry out their services.

20 Therefore, it is the intent of I Liheslaturan Guahan to ensure that the Guam
21 Fire Department has the necessary uniform firefighter personnel in the years
22 ahead to effectively address the firefighting and emergency public safety services
23 provided to the island community, particularly in light of the significant

1 anticipated increase in population. This provision would provide the Guam Fire
2 Department the authorization and the initial funding to recruit necessary
3 uniformed firefighters over the upcoming years to better serve the entire
4 community. With existing financial challenges of the government of Guam, this
5 provision would enable the fire department to recruit these uniformed personnel
6 over the next five fiscal years, thus minimizing the immediate overall financial
7 impact of increases in essential uniformed firefighters to the Guam Fire
8 Department and the government of Guam.

9 **Section 2. Guam Fire Department Uniformed Firefighter Requirements**
10 **and Recruitment Masterplan.**

11 A new §72108, relative to the Guam Fire Department "Firefighter Public
12 Safety Emergency Act of 2008" is hereby added to Chapter 72, Division 3, relative
13 to Public Safety, of Title 10, Guam Code Annotated, to read as follows:

14 **"§72108. Guam Fire Department Uniformed Firefighter Requirements**
15 **and Recruitment Masterplan.**

16 i. This Act shall heretofore be referred to as the "***FIREFIGHTER***
17 ***PUBLIC SAFETY EMERGENCY ACT OF 2008***", henceforth referred herein as the
18 Firefighter Safety Act.

19 ii. The Firefighter Safety Act shall set forth a plan for the proper
20 recruitment and hiring of new uniformed firefighters for the Guam Fire
21 Department that will address the minimum requirements for providing effective
22 and timely service to the entire island community, and to further emphasize the
23 requirements to meet the significant anticipated increase in such public safety

1 services which will result from the projected population increase in the next five
2 years.

3 iii. The number of uniformed firefighters within the Guam Fire
4 Department on the date of this Act is approximately 276, with a projected
5 requirement of an additional 145 uniformed firefighter personnel necessary to
6 meet specific firefighting service and public safety needs based on a personnel
7 assessment in comparison to other similar U. S. jurisdictions nationwide, to
8 include the creation of several units necessary to meet an ever-growing
9 community. This personnel requirements assessment is a reflection of an
10 analysis of firefighter and emergency public safety services presently serving the
11 local community. This assessment further highlights the need for the
12 establishment of a Decontamination Unit, Hazardous Materials Unit, and a
13 Rapid Intervention Team, which is highly recommended due to the nature of the
14 anticipated increase in Guam's overall population in the years to come.
15 Although the projected requirement based on the aforementioned assessment is
16 145, this Act recognizes the financial challenges of the local government and
17 therefore proposes an increase of a minimum of an additional 100 uniformed
18 firefighters for the Guam Fire Department. With an increase in the number of
19 uniformed firefighters by a minimum of 100 over the course of the next several
20 years, this would increase the overall firefighter personnel strength to
21 approximately 376, a reasonable number necessary to meet firefighting and
22 emergency public safety services for the island community.

1 iv. The Guam Fire Department is hereby authorized to recruit a
2 minimum of 100 new uniformed firefighters to ensure adequate firefighting and
3 emergency public safety services for the entire island community for years to
4 come. Such authorization and recruitment of uniformed firefighters shall be in
5 accordance with the following annualized schedule over the course of the next
6 five fiscal years subsequent to the passage of this Act:

- 7 a. Fiscal Year 2009, 20 new uniformed firefighters,
- 8 b. Fiscal Year 2010, 20 new uniformed firefighters,
- 9 c. Fiscal Year 2011, 20 new uniformed firefighters,
- 10 d. Fiscal Year 2012, 20 new uniformed firefighters,
- 11 e. Fiscal Year 2013, 20 new uniformed firefighters,

12 The recruitment of the 100 new uniformed firefighters, as authorized
13 herein, shall be exclusive of firefighter positions filled on the date of the passage
14 of this Act. Any and all uniformed firefighter positions within the Guam Fire
15 Department that are filled as of the date of the adoption of this provision, shall
16 continue to remain within the Department, and shall be subject to the Fire Chief's
17 discretion in maintaining and appropriately recruiting for such positions. The
18 aforementioned uniformed firefighter positions authorized herein are hereby
19 approved, and shall be subject to annual legislative funding appropriations.

20 The Fire Chief shall provide in the Guam Fire Department's annual
21 budgetary submissions the funding requirement for the effective and timely
22 recruitment and training of the additional uniformed firefighter positions as
23 outlined herein, and to include the sum of no less than One Hundred Thousand

1 Dollars (\$100,000.00) for operational and training requirements specifically
2 related to the preparation of these additional firefighters.

3 Any funds appropriated from any fiscal year for the above mentioned
4 positions shall be available to the Guam Fire Department for the uses as specified
5 herein for that specific fiscal year, and shall carry-forward into subsequent fiscal
6 years and be available to the Department until such time said funds are fully
7 expended.

8 **Section 3. Fiscal Year 2009 Appropriation to the Guam Fire Department**
9 **for the Firefighter Public Safety Emergency Act of 2008.**

10 The sum of Eight Hundred Eighty Two Thousand Dollars (\$882,000.00) is
11 hereby appropriated from the General Fund in Fiscal Year 2009 to the Guam Fire
12 Department for the recruitment of the new uniformed firefighter positions as
13 specifically outlined in this Act for fiscal year 2009 only. The required funds
14 identified herein shall reflect the following breakdown:

15	Firefighter Recruits/FFI	=	\$782,000.00
16	(\$39,087.00, incl benefits)		
17	Operational Training Funds	=	\$100,000.00
18	Total Funding Requirement (FY '09)	=	\$882,000.00

19 The funds appropriated above shall be made available to the Guam Fire
20 Department for the uses as specified herein, and shall carry forward into
21 subsequent fiscal years and be available to the Department until such time said
22 funds are fully expended.

23 **Section 4. Severability Clause.**

1 If any of the provisions of this Act or the application thereof to any person
2 or circumstance is held invalid, such invalidity shall not affect any other
3 provision or application of this Act which can be given effect without the invalid
4 provision or application, and to this end the provisions of this Act are severable.