

MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (FIRST) Regular Session

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Bill No. 421-31 (LS)

Introduced by:

DENNIS G. RODRIGUEZ, Jr. *[Signature]*
ADOLPHO B. PALACIOS, Sr. *[Signature]*

AN ACT TO AUTHORIZE APPROPRIATION CARRY-OVER PROVISIONS FOR THE GUAM FIRE DEPARTMENT FOR THE EXPENDITURE OF THE EXPIRED ENHANCED 911 EMERGENCY REPORTING SYSTEM FUNDS FOR THE SPECIFIC PURPOSE OF CONDUCTING A 2012-2013 FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES RECRUITMENT CYCLE, ALONG WITH ANY OTHER USE PRESCRIBED IN PUBLIC LAW 25-55.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Fire Department (“Department”) is in dire need of additional
4 personnel to efficiently provide fire suppression and emergency medical services
5 (“EMS”). Therefore, it is the intent of *I Liheslaturan* to authorize the carry-over of
6 expired Enhanced 911 Emergency Reporting System funds for the purpose of
7 conducting a recruitment cycle along with any other use prescribed in Public Law
8 25-55. A new recruitment cycle will, 1) alleviate rising overtime costs being
9 experienced at the Department as a result of newly-acquired vehicles; 2) bring
10 staff-to-equipment levels closer to National Fire Protection Association (NFPA)
11 standards; and 3) soften the impact of attrition and 2012/2013 military
12 deployments as close to 75 of the Department’s 265 firefighters are service
13 members in various reserve units and are subject to deployment orders.

14 *I Liheslaturan Guåhan* further finds that the Department has not held a
15 recruitment cycle since 2005 and a previous attempt to begin a cycle in Fiscal Year

1 2011 was halted due to the government of Guam's precarious financial condition.
2 Without any recruitment, staff-to-equipment levels have severely declined due to
3 the arrival of additional vehicles and declining personnel levels resulting from
4 military deployments and attrition. In 2011, the Department received three (3)
5 structural fire trucks from Federal agencies and four (4) leased ambulances. As a
6 result of the additions to the fleet, the Department now has seven (7) ambulances
7 providing for the EMS needs of the island. This has led to service levels that are
8 beyond the capacity of the Department to provide with their current firefighter
9 workforce. New fire suppression apparatuses and up to four (4) new ambulances
10 are expected in 2012 through committed Department of Interior funding (2010,
11 2009 Compact Impact Funds & 2011 Technical Assistance Grant).

12 *I Liheslaturan Guåhan* finds that without any new personnel, the
13 Department will be forced to continue paying large amounts of overtime to
14 maintain current service levels. With no additional personnel, as required to
15 properly address the current personnel shortfall, the Department will continue to
16 incur an annual overtime expenditure of approximately \$3,496,985.86.
17 Additionally, any loss in personnel, whether through attrition, retirement and/or
18 deployment, will further erode the Department's ability to meet mandates
19 considering they are already below necessary manpower levels consistent with
20 NFPA 1710 standards for the deployment of both fire suppression and emergency
21 medical response vehicles.

22 *I Liheslaturan Guåhan* takes due note that the cost of a fire cycle comprised
23 of 30 recruits would cost a projected \$598,227.77, and that the continuing
24 authorization for the appropriation pursuant to Section 1 (aa) Chapter V of P.L. 30-
25 196 as amended by Section 3 (f)(4) and (5) of P.L. 30-224, to continue to be
26 available for expenditure in the FY-2012 Budget is necessary, and would be
27 sufficient to fund the 2012-2013 fire recruitment cycle.

1 It is the intent of *I Liheslaturan Guåhan* to fund the 2012-2013 fire recruit
2 cycle by providing for the carry-over of expired Enhanced 911 Emergency
3 Reporting System funds for the express purpose of conducting a recruitment cycle
4 along with any other use prescribed in Public Law 25-55, by way of a continuing
5 authorization for the Department to expend the funds required from the prior
6 appropriation, as amended, and identified in Section 2 of this Act.

7 **Section 2. Carry-over of the Appropriation to the Guam Fire**
8 **Department from the Enhanced 911 Emergency Reporting System Fund.** For
9 purposes of ensuring the continuity and improvement of emergency medical
10 services, including operations of the E911 Dispatch Center and the provision of
11 ambulatory services by the Department, whether through government-owned or
12 privately leased ambulances, notwithstanding any other provisions of law, the
13 appropriation from Section 1 (aa) Chapter V of P.L. 30-196 as amended by Section
14 3 (f)(4) and (5) of P.L. 30-224, *shall not* revert to the General Fund and *shall*
15 continue into FY 2012 and be made available until fully expended. Such funding
16 *shall* be used *only* for the following purposes:

- 17 (1) training costs, course fees, supplies and equipment needed to conduct a
18 Firefighter Recruit Cycle and recruitment; &
19 (2) any other use as prescribed pursuant to P.L. 25-55.

20 **Section 3. Effective Date.** This act shall be effective upon enactment into
21 law.

22 **Section 4. Severability.** If any provision of this Act or its application to
23 any person or circumstance is found to be invalid or contrary to law, such
24 invalidity shall not affect other provisions or applications of this Act which can
25 be given effect without the invalid provisions or applications, and to this end the
26 provisions of this Act are severable.