

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

1/13/24
2
Regular Session, 2024

H. B. 23- 118

A BILL FOR AN ACT

To establish a "Fire Reserve Corps," (CNMI FRC") a Fire and Emergency Medical Services Reserve Corps to assist the Department of Fire and Emergency Medical Services (DFEMS) and the Commonwealth Ports Authority-Aircraft Rescue and Fire Fighting (CPA-ARFF) in fire prevention and suppression, rescue operations, basic and advanced life support; and for other purposes.

BE IT ENACTED BY THE 23RD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature further finds that first
2 responders risk their lives daily in order to protect all life, property, and the
3 environment; endure lengthy hours in high-pressured and dangerous situations, and
4 ensure that peace and tranquility are maintained despite the lack of manpower,
5 training, equipment and sufficient financial resources to adequately perform its
6 mission. With society and the population continuing to grow, so does the request
7 and the demand for public services.

8 In continuing its efforts, CNMI DFEMS is committed to the highest
9 standards in order to protect the lives and property of the people of the
10 Commonwealth from fires, natural disasters, hazardous material incidents, and in

1 providing emergency medical services, fire prevention and suppression, and
2 conducting educational programs to its personnel and the community. The
3 Legislature finds the need to establish the following:

4 1) CNMI Fire and Emergency Medical Services Reserve Corps shall
5 be hereinafter referred to as the “CNMI Fire Reserve Corps or the “CNMI FRC.”

6 2) CNMI DFEMS and CPA-ARFF shall attain and maintain accreditation
7 by the Commission on Fire Accreditation International and Commission on
8 Professional Credentialing, Commission on Accreditation of Allied Health
9 Education Programs and Committee on Accreditation of Educational Programs for
10 the Emergency Medical Services Professions, and the Commission on
11 Accreditation of Ambulance Services.

12 Therefore, the purpose of this Act is to establish a volunteer-based CNMI
13 Fire Reserve Corps “CNMI FRC”) to assist the CNMI DFEMS and CPA-ARFF in
14 fire prevention and suppression to include wildland, aircraft, and shipboard
15 firefighting, rescue operations to include land and sea rescues, basic and advanced
16 life support in EMS response, and for other purposes.

17 **Section 2. Amendment.** Title 1, Division 2, Chapter 18, is hereby
18 amended to add Article 8 and a new section §28081 to read as follows:

19 **“§ 28081. CNMI Fire Reserve Corps Authorized.**

20 (a) The Commonwealth authorizes CNMI DFEMS to establish and
21 maintain a CNMI Fire Reserve Corps or CNMI “FRC”. This reserve corps shall be

1 authorized to have a sufficient number of reservists as determined reasonably
2 necessary to meet mission requirements. It shall be staffed by citizen volunteers,
3 unless funding is otherwise provided, who will assist CNMI DFEMS and CPA-
4 ARFF in fire prevention and suppression, rescue operations, basic and advanced
5 life support. CNMI DFEMS shall partner with the Commonwealth Ports Authority
6 (CPA) – Aircraft Rescue and Fire Fighting (ARFF) Pacific Region ARFF Training
7 Center (PRATC) to obtain and maintain professional firefighter certification
8 through the National Board on Fire Service Professional Qualifications, herein
9 referred to as the “Pro-Board” for the CNMI FRC. This training and certification
10 requirement shall apply to all CNMI DFEMS firefighters and the CNMI FRC.

11 (b) Requirements. CNMI DFEMS Commissioner has overall authority
12 over the CNMI FRC and is responsible to the CNMI Governor for the conduct of
13 the reserve corps. The CNMI DFEMS Commissioner shall appoint or designate an
14 Officer in Charge (OIC) from the Division of Emergency Services to manage the
15 CNMI FRC Program. Reservists will be selected through a comprehensive
16 screening and selection process from a list of qualified applicants who have
17 successfully met minimum requirements through a CNMI FRC Academy through
18 PRATC.

19 (c) Response Authority. FRC personnel shall have response authority
20 after officially being sworn in and only while on official duty.

21 (d) On-Duty. A reservist will be considered on-duty when the FRC as a

1 whole has been activated, or when he or she has been specifically assigned to a task
2 or duty by the OIC on special assignments or missions, during times of natural
3 disasters or man-made catastrophic events, or to backfill manpower assignments
4 during extreme shortage or unavailability of personnel. A reservist will also be
5 considered on-duty when performing firefighting or EMS duties, ride-alongs for
6 skill maintenance and sustainment, attending training to fulfill recertification
7 requirements.

8 (e) Compensation. Reservists may be compensated during times of
9 declared disasters by the US and/or CNMI governments when performing official
10 duties and at any time should funding be made available through federal grants or
11 through local appropriations.

12 (f) Reservist Rules. CNMI FRC personnel shall be subject to all lawful
13 rules and regulations as may be promulgated by the CNMI DFEMS Commissioner
14 and adhere to standard operating procedures, protocols, policies and directives as
15 established by the CNMI FRC program.

16 (g) Dismissal. CNMI FRC personnel may be dismissed from their
17 reserve status by the CNMI DFEMS Commissioner for violating any law, rule or
18 regulation. The OIC may suspend a reservist from duty status pending final review
19 by the CNMI DFEMS Commissioner for allegations of misconduct that may lead
20 to their removal from the reserve corps program.

21 (h) Equipment Issue. CNMI DFEMS and CPA-ARFF shall provide

1 necessary uniforms, personal protective equipment, response equipment and
2 supplies for the reservists.

3 (i) Priority Placement Program. CNMI DFEMS and CPA-ARFF shall
4 work with the the CNMI Office of Personnel Management (OPM) to establish a
5 priority placement hiring program for CNMI FEMS reservists.

6 (j) Any government agency, instrumentality, or independent program
7 in the Commonwealth employing the reserve firefighters shall 1) define a reserve
8 firefighter as one who is engaged in fire protection activities as defined in 29 USC
9 §203 subsections (c) relating to “state” (x) relating “public agency” and (y) (1)(2)
10 relating to “employee in fire protection activities” and 2) comply with 29 CFR
11 §553.230 which relates to maximum hours for work periods of 7 to 28 days.

12 (k) Reserve firefighters shall be considered key and emergency
13 essential employees performing key and emergency essential functions during
14 times of natural or man-made disasters or any catastrophic events.”

15 **Section 3. Amendment.** Title 1, Division 2, Chapter 18 is hereby amended
16 to add Article 9 and a new section §28091 to read as follows:

17 **“Article 9. CNMI DFEMS and CPA-ARFF Accreditation Program**
18 **Managers.**

19 (a) CNMI DFEMS Commissioner shall appoint or designate an Officer-
20 in-Charge (OIC) from the Division of Emergency Medical Services to manage the
21 CNMI DFEMS Accreditation Program. CPA-ARFF Fire Chief shall likewise

1 appoint or designate an Officer-in-Charge (OIC) from the Training and
2 Administration Section to manage the CPA-ARFF Accreditation Program.

3 (b) CNMI DFEMS and CPA-ARFF Accreditation Program Managers
4 shall be responsible for ensuring that fire department accreditation and firefighter
5 professional credentialing, EMS education accreditation and professional EMS
6 certification, and ambulance services accreditation are obtained and maintained.”

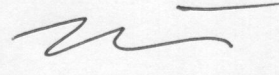
7 **Section 4. Severability.** If any provisions of this Act or the application of
8 any such provision to any person or circumstance should be held invalid by a court
9 of competent jurisdiction, the remainder of this Act or the application of its
10 provisions to persons or circumstances other than those to which it is held invalid
11 shall not be affected thereby.

12 **Section 5. Savings Clause.** This Act and any repealer contained herein
13 shall not be construed as affecting any existing right acquired under contract or
14 acquired under statutes repealed or under any rule, regulation, or order adopted
15 under the statutes. Repealers contained in this Act shall not affect any proceeding
16 instituted under or pursuant to prior law. The enactment of the Act shall not have
17 the effect of terminating, or in any way modifying, any liability, civil or criminal,
18 which shall already be in existence on the date this Act becomes effective.

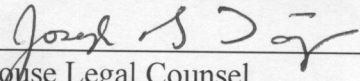
19 **Section 6. Effective Date.** This Act shall take effect upon its approval by
20 the Governor, or its becoming law without such approval.

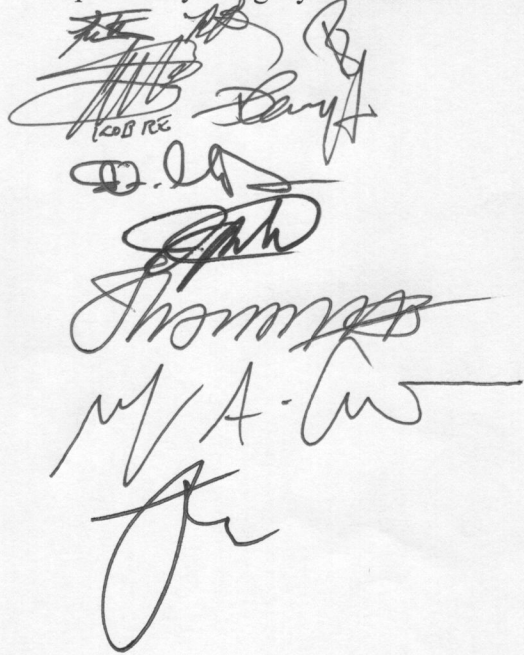
Prefiled: 9/17/2024

Date: 9/13/24

Introduced by: 
Rep. Manny Gregory T. Castro

Reviewed for Legal Sufficiency by:


House Legal Counsel


A collection of handwritten signatures and initials, including "COB REC" and "M.A. Castro".