

(S. B. 1099)
(Conference)

(No. 181-2019)

(Approved December 26, 2019)

AN ACT

To create the “Bureau of the Puerto Rico Firefighters Corps Salary Adjustment Act”; establish a salary raise in the amount of one hundred and twenty-five dollars (\$125.00) monthly for the civil members and officers of the Bureau of the Puerto Rico Firefighters Corps; add Section 3.14 to Act No. 20-2017, as amended, the “Puerto Rico Department of Public Safety Act”; amend subsection (1) of Section 7.020 of Act No. 77 of June 19, 1957, as amended, known as the “Insurance Code of Puerto Rico”; establish the conditions on the use of the funds; and for other related purposes.

STATEMENT OF MOTIVES

The Legislative Assembly is responsible for promulgating legislation geared to ensure the general welfare of our people. Different groups demand that their needs be addressed. The Bureau of the Puerto Rico Firefighters Corps has been demanding a salary adjustment for over 10 years. This legislation was introduced under this premise as a tool to discuss and address said demands and needs. The purpose of this Act is to address the salary raise and the need for new fire equipment for the Bureau of the Puerto Rico Firefighters Corps given the precarious condition of their work centers (Fire Stations), personal protective equipment, and the obsolete first response units (fire and rescue), for the condition in which these are is unacceptable under the parameters of the United States Environmental Protection Agency (EPA).

The Bureau of the Puerto Rico Firefighters Corps is composed of fire prevention and extinction professionals. They have an ongoing commitment; and fulfilling their duty and serving is how they care for their people. They are required to protect and ensure society's security every day, both in communities and businesses.

The Bureau of the Puerto Rico Firefighters Corps has Firefighters and Inspectors who worked over thirty-six consecutive hours after Hurricane Maria, under extreme conditions while performing tasks related to fire extinction, rescue, delivery of supplies, tree and electricity posts cutting, among others in order to restore vehicle traffic flow and enable other agencies to discharge their duties during the emergency. The members of the Bureau of the Puerto Rico Firefighters Corps are the first public servants to provide services during the emergencies. In addition to preventing and extinguishing fires, they show their courage and calling to serve and care for their fellow citizens even at a scene of a car accident.

During the catastrophe caused by Hurricane Maria, most of the members of the Bureau of the Puerto Rico Firefighters Corps at times worked twelve (12)- hour shifts with little rest or food and without the necessary equipment. Moreover, many of them were unable to return to their homes to check on their family members until almost seventy-two (72) hours after the Hurricane Maria made landfall. Many others spent long hours working in the sun or under the rain. Their work and collaboration were vital to restore order in the thoroughfares and communities.

For years, the members of the Bureau of the Puerto Rico Firefighters Corps, have demanded that their claims and petitions be addressed. A salary raise is among these claims and petitions, since there are peers in the Department of Public Safety with similar responsibilities who earn a noticeably higher salary. The salary raise is

synonymous to recognition of experience and service in times of emergency. Listening and addressing their claims is synonymous to addressing their needs and doing them justice.

When evaluating this tasks and duties performed by the men and women who work with dedication and commitment in the Bureau of the Puerto Rico Firefighters Corps we found that they share the same risks to which the men and women working at the Puerto Rico Police Bureau are exposed to, due to the nature of the work they perform and their exposure to high risk and physical effort.

For such reason, the employees of the Bureau of the Puerto Rico Firefighters Corps are at risk suffering a work-related illness or injury for they are usually exposed to high-risk environments where their health and safety are endangered.

The similarities in the work of the employees of the Bureau of the Puerto Rico Firefighters Corps and the Puerto Rico Police Bureau are so evident that Act No. 20-2017, as amended, the “Puerto Rico Department of Public Safety Act,” itself granted exclusive benefits to these two (2) bureaus given the high-risk to which they are exposed when discharging their duties. The intent of the legislator in said Act was to state the similarities between those two bureaus. The Bureau of the Puerto Rico Firefighters Corps has such importance that the then Governor of Puerto Rico signed an Executive Order to allow the members of the Corps to travel to the United States of America to assist in the reconstruction after the catastrophe caused by Hurricane Florence, which made landfall in North Carolina.

Therefore, through this legislation, provisions are established to address the needs and do justice to the members of the Bureau of the Puerto Rico Firefighters Corps with a salary raise in the amount of one hundred and twenty-five dollars (\$125.00) monthly.

To defray the salary raise granted under the Bureau of the Puerto Rico Firefighters Corps Salary Adjustment Act, Act No. 20-2017, as amended, the “Puerto Rico Department of Public Safety Act,” is hereby amended to provide that the funds generated by the Bureau of the Puerto Rico Firefighters Corps on account of the inspections conducted under the provisions of this Act shall be used, first, Any balance shall be deposited in the General Fund. Any balance shall be deposited in the General Fund.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Title

This Act shall be known as the “Bureau of the Puerto Rico Firefighters Corps Salary Adjustment Act.”

Section 2.- Public Policy.

It shall be the public policy of the Government of Puerto Rico to seek and provide the tools necessary in order to grant a salary raise to the civil members and officials of the Bureau of the Puerto Rico Firefighters Corps, in recognition of the commendable work they perform every day for the benefit of all of Puerto Rico. The salary raise for the civil members and officers of the Bureau of the Puerto Rico Firefighters Corps shall be effective on July 1, 2020.

Section 3.- Appropriation of Funds

The Office of Management and Budget shall set aside the necessary funds to defray the salary raise in the amount of one hundred and twenty-five dollars (\$125.00) monthly to each civil member and officer of the Bureau of the Puerto Rico Firefighters Corps in the Consolidated Budget for Fiscal Year 2020-2021 and thereafter.

Section 4.- A new Section 3.14 is hereby added to Act No. 20-2017, as amended, better known as the “Puerto Rico Department of Public Safety Act,” to read as follows:

“3.14.- Use of Income from Inspections

The funds generated by the Bureau of the Puerto Rico Firefighters Corps on account of the inspections conducted under the provisions of this Act shall be used, first, to defray the salary raise granted under the Bureau of the Puerto Rico Firefighters Corps Salary Adjustment Act. Any balance shall be deposited in the General Fund.”

Section 5.- Priority in the Use of Funds.

The revenues under this Act shall be used to establish a salary raise in the amount of one hundred and twenty-five dollars (\$125.00) monthly for the civil members and officers of the Bureau of the Puerto Rico Firefighters Corps. Only after said salary raise is established, any balance of such revenues may be used for purposes of restoring the fire stations, acquiring equipment necessary for emergencies, that is, fire engines, personal protective equipment, uniforms, and miscellaneous equipment related to the work performed by the Bureau of the Puerto Rico Firefighters Corps and/or for purposes of improving their benefits such as life insurance, or others.

Section 6.- Subsection (1) of Section 7.020 of Act No. 77 of June 19, 1957, as amended, known as the Insurance Code of Puerto Rico,” is hereby amended to read as follows:

“Section 7.020.- Taxes on Premiums

(1) Except as otherwise provided in Section 7.020 of this Code, every insurer shall pay to the Secretary of the Treasury of the Commonwealth of Puerto Rico, through the Office of the Commissioner, a six percent (6%) tax on premiums and of three percent (3%) on annuity considerations, as provided in paragraph (b) of this subsection, received by the insurer during each semester of the calendar year on insurance transacted in Puerto Rico or covering risks resident, located or to be executed in Puerto Rico, wherever transacted. In the specific case of fire and allied

lines insurance, as defined in Chapter 37 of this Code, every insurer shall pay to the Secretary of the Treasury of the Commonwealth of Puerto Rico, through the Office of the Commissioner, a three percent (3%) on premiums to be used in accordance with the “Bureau of the Puerto Rico Firefighters Corps Salary Adjustment Act.” Said tax shall be payable on or before March 31 of the following calendar year. In the specific case of fire and allied lines insurance, said tax shall be applicable to premiums of new insurance and renewals of aforementioned fire and allied lines insurance. Said three percent (3%) may not be increased from the total cost of the premium, not shall be transferred to the insured, in accordance with the provisions of this Code. The insurer shall determine his tax on premiums as follows:

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (2) ...
- (3) ...
- (4) ...”

Section 7.- Custodian of Funds; Transfers and Prohibitions.

The revenues shall be deposited in an account set aside for this purpose in the general fund within the Department of the Treasury, and shall be transferred to the budget of the Bureau of the Puerto Rico Firefighters Corps. The same shall be effective every fiscal year and may not be used for any purposes other than those established in this Act.

Section 8.-Effectiveness.

This Act shall take effect immediately.