



SENATE BILL No. 1101

September 21, 2016, Introduced by Senator STAMAS and referred to the Committee on Regulatory Reform.

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10, 11, 12, 15, and 16 (MCL 29.362, 29.363, 29.364, 29.365, 29.366, 29.367, 29.368, 29.369, 29.369a, 29.370, 29.371, 29.372, 29.375, and 29.376), sections 2, 3, 4, 5, 8, and 11 as amended by 2006 PA 213, section 6 as amended and section 9a as added by 1980 PA 10, and section 9 as amended by 2015 PA 203, and by adding sections 9b, 11a, and 11b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 **(A) "CERTIFICATE" MEANS A NUMBERED DOCUMENT ISSUED BY THE**
3 **COUNCIL TO A PERSON WHO HAS OBTAINED CERTIFICATION UNDER THIS ACT.**

4 **(B) "CERTIFICATION" MEANS ANY OF THE FOLLOWING:**

5 **(i) A DETERMINATION BY THE COUNCIL THAT A PERSON MEETS THE**

1 CERTIFICATION REQUIREMENTS FOR A FIREFIGHTER, FULL-TIME FIRE CHIEF,
 2 FIRE SERVICE INSPECTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE
 3 INVESTIGATOR, FIRE SERVICE INSTRUCTOR, OR FIRE OFFICER THAT IS
 4 AUTHORIZED UNDER THIS ACT TO BE EMPLOYED AS A COUNCIL-CERTIFIED
 5 FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR, FIRE
 6 SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE
 7 INSTRUCTOR, OR FIRE OFFICER.

8 (ii) A DETERMINATION BY THE COUNCIL THAT A PERSON WAS EMPLOYED
 9 AS A FIREFIGHTER BEFORE OCTOBER 1, 1988 AND THAT THE PERSON IS
 10 AUTHORIZED UNDER THIS ACT TO BE EMPLOYED AS A FIREFIGHTER.

11 (iii) A DETERMINATION BY THE COUNCIL THAT A PERSON WAS
 12 EMPLOYED AS A FULL-TIME FIRE CHIEF BEFORE JANUARY 1, 2017 AND THAT
 13 THE PERSON IS AUTHORIZED UNDER THIS ACT TO BE EMPLOYED AS A FULL-
 14 TIME FIRE CHIEF.

15 (C) "CONTESTED CASE" MEANS THAT TERM AS DEFINED IN SECTION 3
 16 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL
 17 24.203.

18 (D) ~~(a)~~-"Council" means the firefighters training council.

19 (E) ~~(b)~~-"Executive secretary"-DIRECTOR" means the executive
 20 ~~secretary~~-DIRECTOR of the council.

21 (F) "FELONY" MEANS A VIOLATION OF A LAW OF THIS STATE, ANOTHER
 22 STATE, OR THE UNITED STATES THAT IS EITHER OF THE FOLLOWING:

23 (i) PUNISHABLE BY A TERM OF IMPRISONMENT GREATER THAN 1 YEAR.

24 (ii) EXPRESSLY DESIGNATED A FELONY BY STATUTE.

25 (G) ~~(e)~~-"Firefighter" means a member, including **FULL-TIME**
 26 **MEMBERS**, volunteer members, **PART-TIME MEMBERS**, and members paid on
 27 call, of an organized fire department ~~who is responsible for,~~ **OR**

1 PUBLIC SAFETY DEPARTMENT WHOSE JOB DESCRIPTION, DUTIES, OR
 2 RESPONSIBILITIES INCLUDE, or is in a capacity that includes
 3 responsibility for, the extinguishment of fires, the directing of
 4 the extinguishment of fires, **THE DIRECTING OR MANAGEMENT OF FIRE**
 5 **SUPPRESSION ACTIVITIES, HAZARDOUS MATERIAL RESPONSE, TECHNICAL**
 6 **RESCUE, AND AIRPORT RESCUE AND FIREFIGHTING,** the prevention and
 7 detection of fires, and the enforcement of the general fire laws of
 8 this state **OR THE COMMUNITY HE OR SHE SERVES.** ~~Firefighter does not~~
 9 ~~include a person whose job description, duties, or responsibilities~~
 10 ~~do not include direct involvement in fire suppression.~~**FIREFIGHTER**
 11 **INCLUDES A PUBLIC SAFETY OFFICER ENGAGED IN FIREFIGHTER**
 12 **RESPONSIBILITIES LISTED IN THIS SUBDIVISION.**

13 ~~—— (d) "Organized fire department" means that term as defined in~~
 14 ~~section 1 of the fire prevention code, 1941 PA 207, MCL 29.1.~~

15 **(H)** ~~(e) "Firefighter training" means education or training~~
 16 ~~designed and intended to enhance the ability of an organized fire~~
 17 ~~department or the personnel of an organized fire department to~~
 18 ~~safeguard life and property from damage from explosion, fire, or~~
 19 ~~disaster, and to deliver fire suppression and other related fire~~
 20 ~~services.~~**AN EDUCATION OR TRAINING PROGRAM ELIGIBLE TO RECEIVE**
 21 **GRANTS FOR FIREFIGHTER TRAINING FROM THE FIREWORKS SAFETY FUND**
 22 **CREATED IN SECTION 11 OF THE MICHIGAN FIREWORKS SAFETY ACT, 2001 PA**
 23 **256, MCL 28.461, DESIGNED AND INTENDED TO ENHANCE THE ABILITY OF AN**
 24 **ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT OR THE**
 25 **PERSONNEL OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY**
 26 **DEPARTMENT TO SAFEGUARD LIFE AND PROPERTY FROM DAMAGE FROM**
 27 **EXPLOSION, FIRE, OR DISASTER, AND TO DELIVER FIRE SUPPRESSION,**

1 EMERGENCY MEDICAL SERVICE, HAZARDOUS MATERIAL RESPONSE, TECHNICAL
2 RESCUE, AIRPORT RESCUE AND FIREFIGHTING, FIRE INSPECTION, FIRE
3 INVESTIGATION, FIRE SAFETY EDUCATION, AND OTHER RELATED FIRE
4 SERVICES. FIREFIGHTER TRAINING INCLUDES, BUT IS NOT LIMITED TO, THE
5 TRAINING REQUIRED FOR FIRE FIGHTER I AND FIRE FIGHTER II
6 CLASSIFICATIONS UNDER "STANDARD FOR FIRE FIGHTER PROFESSIONAL
7 QUALIFICATIONS," NATIONAL FIRE PROTECTION ASSOCIATION STANDARD NO.
8 1001.

9 (I) "FIRE OFFICER" MEANS A MEMBER, INCLUDING FULL-TIME
10 MEMBERS, VOLUNTEER MEMBERS, PART-TIME MEMBERS, AND MEMBERS PAID ON
11 CALL OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT
12 ASSIGNED A RANK ABOVE FIREFIGHTER WHO IS RESPONSIBLE FOR, OR IS IN
13 A CAPACITY THAT INCLUDES RESPONSIBILITY FOR, PERFORMING SUPERVISORY
14 OR MANAGEMENT RESPONSIBILITIES OF AN EMERGENCY OR NONEMERGENCY
15 NATURE WITHIN HIS OR HER ASSIGNED FIRE SERVICE AGENCY. FIRE OFFICER
16 RANKS INCLUDE TITLES SUCH AS SERGEANT, LIEUTENANT, CAPTAIN, AND
17 CHIEF OFFICER. FIRE OFFICER DOES NOT INCLUDE FULL-TIME FIRE CHIEFS
18 AND PUBLIC SAFETY DIRECTORS AND OTHERS AS DETERMINED BY THE
19 COUNCIL.

20 (J) "FIRE SERVICE INSPECTOR" MEANS A MEMBER CERTIFIED UNDER
21 NATIONAL FIRE PROTECTION ASSOCIATION STANDARD NO. 1031, INCLUDING
22 FULL-TIME MEMBERS, VOLUNTEER MEMBERS, PART-TIME MEMBERS, AND
23 MEMBERS PAID ON CALL, OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC
24 SAFETY DEPARTMENT WHOSE JOB DESCRIPTION, DUTIES, OR
25 RESPONSIBILITIES INCLUDE, OR IS IN A CAPACITY THAT INCLUDES
26 RESPONSIBILITY FOR, INSPECTING PROPERTY FOR FIRE CODE VIOLATIONS
27 AND ENFORCING THE GENERAL FIRE CODES OF THE JURISDICTION THAT HE OR

1 SHE SERVES.

2 (K) "FIRE SERVICE INSTRUCTOR" MEANS A CURRENT OR RETIRED
3 MEMBER, INCLUDING FULL-TIME MEMBERS, VOLUNTEER MEMBERS, AND MEMBERS
4 PAID ON CALL OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY
5 DEPARTMENT, OR OTHER INDIVIDUAL WHO IS CERTIFIED TO INSTRUCT 1 OR
6 MORE COUNCIL-APPROVED FIRE SERVICE TRAINING PROGRAMS.

7 (I) "FIRE SERVICE INVESTIGATOR" MEANS A MEMBER, INCLUDING
8 FULL-TIME MEMBERS, VOLUNTEER MEMBERS, PART-TIME MEMBERS, AND
9 MEMBERS PAID ON CALL OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC
10 SAFETY DEPARTMENT WHOSE JOB DESCRIPTION, DUTIES, OR
11 RESPONSIBILITIES INCLUDE, OR IS IN A CAPACITY THAT INCLUDES
12 RESPONSIBILITY FOR, INVESTIGATING THE ORIGIN AND CAUSE OF FIRES AND
13 WHO HAS OBTAINED THE SKILLS AND KNOWLEDGE NECESSARY TO CONDUCT,
14 COORDINATE, AND COMPLETE A FIRE INVESTIGATION.

15 (M) "FIRE SERVICE MEMBER" MEANS A PERSON DESCRIBED IN
16 SUBDIVISION (G), (I), (J), (K), (I), OR (N).

17 (N) "FIRE SERVICE PLAN EXAMINER" MEANS A MEMBER CERTIFIED
18 UNDER NATIONAL FIRE PROTECTION ASSOCIATION STANDARD NO. 1031,
19 INCLUDING FULL-TIME MEMBERS, VOLUNTEER MEMBERS, PART-TIME MEMBERS,
20 AND MEMBERS PAID-ON-CALL OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC
21 SAFETY DEPARTMENT WHOSE JOB DESCRIPTION, DUTIES, OR
22 RESPONSIBILITIES INCLUDE CONDUCTING PLAN REVIEWS OF CONSTRUCTION
23 DOCUMENTS FOR COMPLIANCE WITH THE GENERAL FIRE CODES OF THE
24 COMMUNITY THAT HE OR SHE SERVICES.

25 (O) "FULL-TIME" MEANS USUALLY WORKING AS A FIREFIGHTER, FIRE
26 CHIEF, FIRE SERVICE INSTRUCTOR, FIRE SERVICE INSPECTOR, FIRE
27 SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, OR FIRE OFFICER,

1 OR PARTICIPATING IN ACTIVITIES DIRECTLY RELATED TO WORKING AS A
2 FIREFIGHTER, FIRE CHIEF, FIRE SERVICE INSTRUCTOR, FIRE SERVICE
3 INSPECTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR,
4 OR FIRE OFFICER FOR NOT LESS THAN 40 HOURS DURING A 7-DAY PERIOD.

5 (P) "FULL-TIME FIRE CHIEF" MEANS AN ADMINISTRATIVE HEAD,
6 PUBLIC SAFETY DIRECTOR, OR DEPARTMENT HEAD RESPONSIBLE FOR THE
7 OVERALL DIRECT MANAGEMENT OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC
8 SAFETY DEPARTMENT.

9 (Q) "ORGANIZED FIRE DEPARTMENT" MEANS THAT TERM AS DEFINED IN
10 SECTION 1 OF THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1.

11 (R) "PUBLIC SAFETY DEPARTMENT" MEANS A DEPARTMENT OF A
12 MUNICIPALITY, CITY, VILLAGE, TOWNSHIP, OR COUNTY PROVIDING BOTH LAW
13 ENFORCEMENT AND FIRE SERVICES EITHER SEPARATELY OR UTILIZING A
14 COMBINED RESPONSE FORCE WITH PERSONNEL TRAINED AND CERTIFIED AS
15 BOTH FIREFIGHTERS UNDER THIS ACT AND LAW ENFORCEMENT OFFICERS UNDER
16 THE COMMISSION ON LAW ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL
17 28.601 TO 28.616, UNDER THE DIRECTION AND ADMINISTRATION OF A
18 SINGLE DIRECTOR.

19 (S) "RULE" MEANS A RULE PROMULGATED UNDER THE ADMINISTRATIVE
20 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328.

21 Sec. 3. (1) The firefighters training council is created in
22 the bureau of fire services in the department of ~~labor and economic~~
23 ~~growth~~ LICENSING AND REGULATORY AFFAIRS and shall consist of 7-9
24 members selected as follows:

25 (a) The state fire marshal, or his or her designated
26 representative, shall be ~~ex-officio~~ EX OFFICIO a member.

27 (B) EIGHT MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

1 (i) ~~(b) Two members appointed to the council by the governor~~
2 from a list of 5 ~~or more~~ members submitted by the Michigan
3 ~~association of fire chiefs.~~**ASSOCIATION OF FIRE CHIEFS OR ITS**
4 **SUCCESSOR ORGANIZATION.**

5 (ii) ~~(c) One member appointed to the council by the governor~~
6 from a list of 3 ~~or more~~ members submitted by the Michigan
7 ~~professional fire fighters union.~~**PROFESSIONAL FIRE FIGHTERS UNION**
8 **OR ITS SUCCESSOR ORGANIZATION.**

9 (iii) ~~(d) One member appointed to the council by the governor~~
10 from a list of 3 ~~or more~~ names submitted by the Michigan state
11 ~~firemen's association.~~**STATE FIREMEN'S ASSOCIATION OR ITS SUCCESSOR**
12 **ORGANIZATION.**

13 (iv) ~~(e) One member appointed to the council by the governor~~
14 from a list of 3 ~~or more~~ names submitted by the Michigan ~~fire~~
15 ~~service instructors association.~~**FIRE SERVICE INSTRUCTORS**
16 **ASSOCIATION OR ITS SUCCESSOR ORGANIZATION.**

17 (v) **ONE MEMBER FROM A LIST OF 3 NAMES SUBMITTED BY THE**
18 **MICHIGAN FIRE INSPECTORS SOCIETY OR ITS SUCCESSOR ORGANIZATION.**

19 (vi) ~~(f) One member appointed to the council by the governor~~
20 from a list of 2 ~~or more~~ names submitted by the Michigan ~~townships~~
21 ~~association.~~**TOWNSHIP ASSOCIATION** and 2 ~~or more~~ names submitted by
22 the Michigan ~~municipal league.~~**MUNICIPAL LEAGUE OR A RESPECTIVE**
23 **SUCCESSOR ORGANIZATION.**

24 (vii) **ONE MEMBER FROM A LIST OF 3 NAMES SUBMITTED BY THE STATE**
25 **FIRE MARSHAL. THE STATE FIRE MARSHAL SHALL SUBMIT THE 3 INDIVIDUALS**
26 **FROM A LIST OF INDIVIDUALS GENERATED BY EACH OF THE FIREFIGHTERS**
27 **TRAINING COUNCIL MEMBER ORGANIZATIONS LISTED IN SUBPARAGRAPHS (i)**

1 THROUGH (vi). THE 3 INDIVIDUALS WHOSE NAMES ARE SUBMITTED UNDER
2 THIS SUBDIVISION SHALL ALSO BE ACTIVELY ENGAGED IN FIREFIGHTING.

3 (2) All appointments made by the governor shall be with the
4 advice and consent of the senate.

5 Sec. 4. (1) ~~A member of the council appointed before January~~
6 ~~1, 2007~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, MEMBERS OF
7 THE COUNCIL APPOINTED UNDER SECTION 3 shall be appointed for a term
8 of ~~3-4~~ years. ~~A member of the council appointed after December 31,~~
9 ~~2006~~ OF THE MEMBERS OF THE COUNCIL APPOINTED UNDER SECTION
10 3 (1) (B) (i), 1 MEMBER shall be appointed for a term of 4 years AND 1
11 MEMBER SHALL BE APPOINTED FOR A TERM OF 3 YEARS.

12 (2) A VACANCY CREATED BY THE EXPIRATION OF A TERM SHALL BE
13 FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

14 (3) A vacancy created other than by expiration of a term shall
15 be appointed for the unexpired term of the member who is to succeed
16 in the same manner as the original appointment. Any member may be
17 reappointed for additional terms.

18 Sec. 5. (1) ~~The governor may designate a member of the council~~
19 ~~to serve as~~ COUNCIL SHALL ELECT FROM AMONG ITS MEMBERS A
20 chairperson of the council ~~at the pleasure of the governor. The~~
21 ~~council may designate a member as~~ AND A vice-chairperson to serve
22 for 1 year. The ~~vice chairperson~~ CHAIRPERSON AND THE VICE-
23 CHAIRPERSON may be reelected.

24 (2) Membership on the council does not constitute holding a
25 public office. Members of the council are not required to take and
26 file oaths of office before serving on the council.

27 (3) The council shall not exercise any portion of the

1 sovereign power of this state.

2 (4) A member of the council is not disqualified from holding
3 any public office or employment by reason of his or her appointment
4 to membership on the council, nor shall he or she forfeit any such
5 office or employment by reason of his or her appointment,
6 notwithstanding the provisions of any general, special, or local
7 laws or ordinances or city charters.

8 Sec. 6. (1) The council shall meet ~~at least~~ **NOT LESS THAN** 4
9 times each year and shall hold special meetings when called by the
10 chairperson or, in the absence of the chairperson, by the vice-
11 chairperson. ~~or when~~ **A SPECIAL MEETING OF THE COUNCIL SHALL BE**
12 called by the chairperson upon the written request of 4 members of
13 the council.

14 (2) The ~~business which the council may perform shall be~~
15 ~~conducted~~ **COUNCIL SHALL CONDUCT ITS BUSINESS** at a public meeting of
16 the council held in compliance with ~~Act No. 267 of the Public Acts~~
17 ~~of 1976, as amended, being sections 15.261 to 15.275 of the~~
18 ~~Michigan Compiled Laws.~~ **THE OPEN MEETINGS ACT, 1976 PA 267, MCL**
19 **15.261 TO 15.275.** Public notice of the time, date, and place of the
20 meeting shall be given in the manner required by ~~Act No. 267 of the~~
21 ~~Public Acts of 1976, as amended.~~ **THE OPEN MEETINGS ACT, 1976 PA**
22 **267, MCL 15.261 TO 15.275.** The council shall establish its own
23 procedures and requirements with respect to quorum, place, and
24 conduct of its meetings and other matters.

25 Sec. 7. The council shall make an annual report to the
26 governor and each house of the legislature ~~which will include~~
27 **INCLUDING** pertinent data regarding the standards established and

1 the degree of participation of ~~municipalities~~ **ORGANIZED FIRE**
2 **DEPARTMENTS AND PUBLIC SAFETY DEPARTMENTS** in the training program.

3 Sec. 8. The members of the council shall serve without
4 compensation, but ~~shall be~~ **ARE** entitled to their actual expenses in
5 attending meetings and in the performance of their duties. ~~7~~
6 ~~subject to available appropriations.~~

7 Sec. 9. (1) ~~The state fire marshal, with the approval of the~~
8 ~~council 7~~ shall prepare and publish ~~standards with~~ **RULES**
9 **ESTABLISHING MINIMUM STANDARDS FOR THE CERTIFICATION OF**
10 **FIREFIGHTERS, FULL-TIME FIRE CHIEFS, FIRE SERVICE INSTRUCTORS, FIRE**
11 **SERVICE INSPECTORS, FIRE SERVICE PLAN EXAMINERS, FIRE SERVICE**
12 **INVESTIGATORS, AND FIRE OFFICERS. IN PROMULGATING THESE RULES, THE**
13 **COUNCIL SHALL GIVE** due consideration to varying factors and special
14 requirements of organized fire departments **AND PUBLIC SAFETY**
15 **DEPARTMENTS, INCLUDING THE TYPE OF DEPARTMENT, METHOD OF STAFFING**
16 **USED BY THE DEPARTMENT, GEOGRAPHIC AREA SERVED BY THE DEPARTMENT,**
17 **SERVICES PROVIDED BY THE DEPARTMENT, AND THE SIZE OF THE COMMUNITY**
18 **THE DEPARTMENT SERVES,** in the following areas:

19 (a) Advisory standards of physical ~~7~~ **AND** educational ~~7~~ ~~mental~~
20 ~~and moral fitness 7~~ ~~which~~ **THAT** shall govern the recruitment,
21 selection, and ~~appointment~~ **CERTIFICATION** of firefighters, **FULL-TIME**
22 **FIRE CHIEFS, FIRE SERVICE INSTRUCTORS, FIRE SERVICE INVESTIGATORS,**
23 **FIRE SERVICE INSPECTORS, FIRE SERVICE PLAN EXAMINERS, AND FIRE**
24 **OFFICERS.**

25 (b) The approval by the council of firefighter training
26 schools. The standards shall address, at least, the following
27 issues:

1 (i) The qualification and certification of instructors.

2 (ii) The **MINIMUM** courses of study, **APPLICABLE NATIONAL FIRE**
 3 **PROTECTION ASSOCIATION STANDARDS**, attendance, ~~record-keeping~~
 4 ~~requirements, equipment, and facilities.~~**AND INSTRUCTIONAL HOURS.**

5 **(iii) RECORD-KEEPING REQUIREMENTS, EQUIPMENT, AND FACILITIES.**

6 **(iv)** ~~(iii)~~The visitation and evaluation of instructors and
 7 schools.

8 (c) The establishment of subordinate regional training centers
 9 in strategic geographic locations in order to serve the greatest
 10 number of organized fire departments **AND PUBLIC SAFETY DEPARTMENTS**
 11 that are unable to support their own training programs.

12 ~~— (2) Each organized fire department shall file a statement with~~
 13 ~~the council designating at least 1 training officer or training~~
 14 ~~coordinator for the fire department. If a training officer or~~
 15 ~~training coordinator is changed, the organized fire department,~~
 16 ~~within 7 days of the change, shall file a statement notifying the~~
 17 ~~council of the change.~~

18 ~~— (3) The council shall develop and provide to each organized~~
 19 ~~fire department, upon request of the organized fire department and~~
 20 ~~at no charge, as proposed by the state fire marshal, training~~
 21 ~~material in an electronic format to be used in training~~
 22 ~~firefighters. The electronic training material shall be based on~~
 23 ~~the standards for fire fighter I and fire fighter II set forth in~~
 24 ~~"Standard for Fire Fighter Professional Qualifications", National~~
 25 ~~Fire Protection Association standard no. 1001.~~

26 **(2)** ~~(4)~~The state fire marshal, with the approval of the
 27 council, shall develop and administer an **A CERTIFICATION**

1 examination, ~~which shall include~~ **THAT INCLUDES** a practical
2 demonstration, a written or oral test, or a combination thereof, to
3 determine a person's competency in regard to the knowledge and
4 skill requirements ~~set forth in~~ **THE** standards for fire fighter I
5 and fire fighter II ~~set forth in~~ **THE** "Standard for Fire Fighter
6 Professional Qualifications", National Fire Protection Association
7 standard no. 1001. The council ~~,~~ **MAY ADMINISTER THE EXAMINATION**
8 upon the request of ~~an organized fire department,~~ ~~shall administer~~
9 ~~the examination in each county at least once every year.~~ **A COUNTY**
10 **TRAINING COMMITTEE OR REGIONAL TRAINING CENTER AT THE CONCLUSION OF**
11 **A COUNCIL-APPROVED FIREFIGHTER TRAINING SCHOOL.** The examination
12 shall ~~MAY~~ be administered in 2 parts. Part 1 shall ~~shall~~ **MUST** test the
13 knowledge and skill requirements set forth in fire fighter I, and
14 part 2 shall ~~shall~~ **MUST** test the knowledge and skill requirements set
15 forth in fire fighter II. ~~The examination may be retaken, as~~
16 ~~necessary, upon request from an organized fire department.~~ **THE**
17 **EXAMINATION MAY ALSO BE ADMINISTERED AS A COMBINED FIRE FIGHTER I**
18 **AND FIRE FIGHTER II EXAMINATION IF REQUESTED BY A COUNTY TRAINING**
19 **COMMITTEE OR REGIONAL TRAINING CENTER. THE COUNCIL SHALL ESTABLISH**
20 **ELIGIBILITY CRITERIA FOR FIREFIGHTER TRAINEES TO RETAKE A FAILED**
21 **WRITTEN, ORAL, OR PRACTICAL CERTIFICATION EXAMINATION.**

22 (3) ~~(5)~~ Except as provided in subsections (7), (8), and (9),
23 ~~by~~ **AFTER A PERSON'S INITIAL HIRING DATE AND** 12 months ~~after a~~
24 ~~person's hiring date~~ **OF CUMULATED SERVICE** as a full-time
25 firefighter, the person ~~must pass both part 1 and part 2 of the~~
26 ~~examination~~ **SHALL OBTAIN COUNCIL CERTIFICATION AS A FIRE FIGHTER II**
27 to be eligible for continued or permanent full-time employment as a

1 firefighter.

2 (4) ~~(6)~~ Except as provided in subsections (7), (8), and (9),
3 by ~~AFTER A PERSON'S APPOINTMENT DATE AND~~ 24 months after a person's
4 ~~appointment date~~ **OF CUMULATED SERVICE** as a volunteer or paid on-
5 call firefighter, ~~a person must pass part 1 of the examination~~ **THE**
6 **PERSON SHALL OBTAIN COUNCIL CERTIFICATION AS A FIRE FIGHTER I** to be
7 eligible for continued volunteer or paid on-call service as a
8 firefighter.

9 (5) **A FULL-TIME FIRE CHIEF HIRED AFTER JANUARY 1, 2017 SHALL**
10 **OBTAIN COUNCIL CERTIFICATION AS A COUNCIL-CERTIFIED FIRE CHIEF NOT**
11 **MORE THAN 3 YEARS AFTER HIS OR HER DATE OF HIRE.**

12 (6) **THE COUNCIL SHALL GRANT CERTIFICATION TO A PERSON MEETING**
13 **THE MINIMUM STANDARDS TO WORK AS A FIREFIGHTER OR FULL-TIME FIRE**
14 **CHIEF AT THE TIME HE OR SHE IS EMPLOYED AS A FIREFIGHTER OR FULL-**
15 **TIME FIRE CHIEF.**

16 (7) **THE COUNCIL SHALL GRANT CERTIFICATION TO A PERSON WHO WAS**
17 **EMPLOYED AS A FIREFIGHTER BEFORE OCTOBER 1, 1988 OR A FULL-TIME**
18 **FIRE CHIEF BEFORE JANUARY 1, 2017 WHO DOES NOT MEET THE FIREFIGHTER**
19 **OR FULL-TIME FIRE CHIEF MINIMUM STANDARDS ESTABLISHED BY THE**
20 **COUNCIL UNDER THIS ACT IF THE PERSON IS OTHERWISE AUTHORIZED TO BE**
21 **EMPLOYED AS A FIREFIGHTER OR FULL-TIME FIRE CHIEF UNDER THIS**
22 **SECTION.**

23 (8) ~~(7)~~ **The FIREFIGHTER CERTIFICATION** examination requirements
24 under this section do not apply to a person who is employed or
25 under appointment as a firefighter on October 1, 1988, unless the
26 person subsequently changes his or her status from a volunteer or
27 paid on-call firefighter to a full-time firefighter. ~~The state fire~~

1 ~~marshal~~**COUNCIL** may waive the examination requirements under this
2 section for a veteran who served in and is separated from the armed
3 forces and provides a form DD214 or DD215 or any other form that is
4 satisfactory to the department that demonstrates that he or she was
5 separated from service with an honorable character of service or
6 under honorable conditions (general) character of service, upon
7 verification that the veteran completed firefighter training that
8 meets the standards for fire fighter I and fire fighter II ~~set~~
9 ~~forth~~ in **THE** "Standard for Fire Fighter Professional
10 Qualifications", National Fire Protection Association standard no.
11 1001, while serving in the armed forces of the United States. As
12 used in this subsection, "armed forces" means ~~that term as defined~~
13 ~~in section 2 of the veteran right to employment services act, 1994~~
14 ~~PA 39, MCL 35.1092.~~**THE ARMY, AIR FORCE, NAVY, MARINE CORPS, COAST**
15 **GUARD, OR OTHER MILITARY FORCE DESIGNATED BY CONGRESS AS PART OF**
16 **THE ARMED FORCES OF THE UNITED STATES.**

17 ~~—— (8) The state fire marshal, with the approval of the council,~~
18 ~~shall review and monitor the state and federal standards relating~~
19 ~~to live fire training exercises in structures and make~~
20 ~~recommendations to the general industry safety standards commission~~
21 ~~for any new or modified standards necessary for the protection of~~
22 ~~firefighter trainees.~~

23 (9) The ~~state fire marshal~~**COUNCIL** shall waive the examination
24 requirements under this section and extend reciprocity
25 certification to a firefighter from another state who seeks to work
26 as a firefighter in this state if the firefighter was certified in
27 the other state after successfully completing a program that meets

1 or exceeds the standards for fire fighter I and fire fighter II set
2 forth in **THE** "Standard for Fire Fighter Professional
3 Qualifications", National Fire Protection Association standard no.
4 1001 by an international accreditation fire service organization.

5 (10) The presentation of records evidencing certification
6 under subsection (9) shall automatically result in certification by
7 this state.

8 (11) **IF A PERSON'S CERTIFICATION AS A FULL-TIME FIREFIGHTER,
9 FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR, FIRE SERVICE PLAN
10 EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE INSTRUCTOR, OR
11 FIRE OFFICER BECOMES VOID AS A RESULT OF AN EVENT UNDER SUBSECTION
12 (16) (B), THE COUNCIL SHALL WAIVE THE CERTIFICATION REQUIREMENTS
13 UNDER SUBSECTION (1) (B) (ii) FOR CERTIFICATION AS A FULL-TIME
14 FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR, FIRE
15 SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE
16 INSTRUCTOR, OR FIRE OFFICER IF 1 OR MORE OF THE FOLLOWING APPLY:**

17 (A) **THE PERSON HAS BEEN EMPLOYED AS A COUNCIL-CERTIFIED FULL-
18 TIME FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR,
19 FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE
20 INSTRUCTOR, OR FIRE OFFICER FOR 1 YEAR OR LESS BEFORE DISCONTINUING
21 EMPLOYMENT AND IS AGAIN EMPLOYED AS A FULL-TIME FIREFIGHTER, FULL-
22 TIME FIRE CHIEF, FIRE SERVICE INSPECTOR, FIRE SERVICE PLAN
23 EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE INSTRUCTOR, OR
24 FIRE OFFICER WITHIN 1 YEAR AFTER DISCONTINUING EMPLOYMENT AS A
25 COUNCIL-CERTIFIED FULL-TIME FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE
26 SERVICE INSPECTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE
27 INVESTIGATOR, FIRE SERVICE INSTRUCTOR, OR FIRE OFFICER.**

1 (B) THE PERSON HAS BEEN EMPLOYED AS A COUNCIL-CERTIFIED FULL-
2 TIME FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR,
3 FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE
4 INSTRUCTOR, OR FIRE OFFICER FOR MORE THAN 1 YEAR BUT LESS THAN 5
5 YEARS BEFORE DISCONTINUING EMPLOYMENT AND IS AGAIN EMPLOYED AS A
6 FULL-TIME FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE
7 INSPECTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR,
8 FIRE SERVICE INSTRUCTOR, OR FIRE OFFICER WITHIN 2 YEARS AFTER
9 DISCONTINUING EMPLOYMENT AS A COUNCIL-CERTIFIED FULL-TIME
10 FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR, FIRE
11 SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE
12 INSTRUCTOR, OR FIRE OFFICER.

13 (C) THE PERSON HAS BEEN EMPLOYED AS A COUNCIL-CERTIFIED FULL-
14 TIME FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR,
15 FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE
16 INSTRUCTOR, OR FIRE OFFICER FOR 5 YEARS OR MORE BEFORE
17 DISCONTINUING EMPLOYMENT AND IS AGAIN EMPLOYED AS A FULL-TIME
18 FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSPECTOR, FIRE
19 SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR, FIRE SERVICE
20 INSTRUCTOR, OR FIRE OFFICER WITHIN 5 YEARS AFTER DISCONTINUING
21 EMPLOYMENT AS A COUNCIL-CERTIFIED FULL-TIME FIREFIGHTER, FULL-TIME
22 FIRE CHIEF, FIRE SERVICE INSPECTOR, FIRE SERVICE PLAN EXAMINER,
23 FIRE SERVICE INVESTIGATOR, FIRE SERVICE INSTRUCTOR, OR FIRE
24 OFFICER.

25 (12) A FIREFIGHTER EMPLOYED ON OCTOBER 1, 1988 MAY CONTINUE
26 HIS OR HER EMPLOYMENT AS A FIREFIGHTER AND MAY PARTICIPATE IN
27 TRAINING PROGRAMS ON A VOLUNTARY OR ASSIGNED BASIS. FAILURE TO

1 OBTAIN CERTIFICATION UNDER SUBSECTION (3) OR (4) IS NOT A BASIS FOR
2 DISMISSAL FROM OR TERMINATION OF EMPLOYMENT AS A FIREFIGHTER. A
3 PERSON WHO WAS EMPLOYED AS A FIREFIGHTER ON OCTOBER 1, 1988 AND WHO
4 CONTINUED HIS OR HER EMPLOYMENT AS A FIREFIGHTER FOR NOT LESS THAN
5 5 YEARS WHO DOES NOT OBTAIN CERTIFICATION UNDER SUBSECTION (3) OR
6 (4) AND WHO VOLUNTARILY OR INVOLUNTARILY DISCONTINUES HIS OR HER
7 EMPLOYMENT AS A FIREFIGHTER MAY BECOME REEMPLOYED AS A FIREFIGHTER
8 IF HE OR SHE IS REEMPLOYED AS A FIREFIGHTER WITHIN 5 YEARS AFTER
9 DISCONTINUING HIS OR HER PREVIOUS EMPLOYMENT AS A FIREFIGHTER
10 WITHOUT OBTAINING CERTIFICATION UNDER SUBSECTION (3) OR (4).

11 (13) A FULL-TIME FIRE CHIEF OF AN ORGANIZED FIRE DEPARTMENT OR
12 PUBLIC SAFETY DEPARTMENT HIRED BEFORE JANUARY 1, 2017 MAY CONTINUE
13 HIS OR HER EMPLOYMENT AS A FULL-TIME FIRE CHIEF OF AN ORGANIZED
14 FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT AND MAY PARTICIPATE IN
15 TRAINING PROGRAMS ON A VOLUNTARY OR ASSIGNED BASIS. FAILURE TO
16 OBTAIN CERTIFICATION UNDER SUBSECTION (5) IS NOT GROUNDS FOR
17 DISMISSAL FROM OR TERMINATION OF EMPLOYMENT AS A FULL-TIME FIRE
18 CHIEF OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT.
19 A PERSON WHO WAS EMPLOYED AS A FULL-TIME FIRE CHIEF OF AN ORGANIZED
20 FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT ON JANUARY 1, 2017 WHO
21 DOES NOT OBTAIN CERTIFICATION UNDER SUBSECTION (5) AND WHO
22 VOLUNTARILY OR INVOLUNTARILY DISCONTINUES HIS OR HER EMPLOYMENT AS
23 A FULL-TIME CHIEF OR PUBLIC SAFETY DIRECTOR OF AN ORGANIZED FIRE
24 DEPARTMENT OR PUBLIC SAFETY DEPARTMENT MAY BE REEMPLOYED AS A FULL-
25 TIME CHIEF OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY
26 DEPARTMENT IF HE OR SHE WAS EMPLOYED 5 YEARS OR MORE AS A FULL-TIME
27 FIRE CHIEF OF AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY

1 DEPARTMENT AND IS AGAIN EMPLOYED AS A FULL-TIME FIRE CHIEF OF AN
2 ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT WITHIN 5
3 YEARS AFTER DISCONTINUING EMPLOYMENT AS A FULL-TIME FIRE CHIEF OF
4 AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT WITHOUT
5 OBTAINING CERTIFICATION UNDER SUBSECTION (5).

6 (14) THE COUNCIL SHALL ESTABLISH AN EVALUATION OR TESTING
7 PROCESS, OR BOTH, FOR A WAIVER FROM THE MINIMUM CERTIFICATION
8 STANDARDS FOR TRAINING REQUIREMENTS FOR A PERSON WHO HAS HELD A
9 CERTIFICATE UNDER THIS ACT AND WHO DISCONTINUES EMPLOYMENT AS A
10 FULL-TIME FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE
11 INSTRUCTOR, OR FIRE OFFICER FOR A PERIOD OF TIME EXCEEDING THE TIME
12 PERIODS UNDER SUBSECTION (11), (12), OR (13) WHO SEEKS TO BECOME
13 REEMPLOYED AS A FULL-TIME FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE
14 SERVICE INSTRUCTOR, OR FIRE OFFICER. THE COUNCIL SHALL ALSO
15 ESTABLISH AN EVALUATION OR TESTING PROCESS, OR BOTH, FOR A WAIVER
16 FROM THE MINIMUM CERTIFICATION STANDARDS FOR TRAINING REQUIREMENTS
17 FOR A PERSON WHO HAS HELD A CERTIFICATE UNDER THIS ACT AND WHO
18 DISCONTINUES EMPLOYMENT AS A VOLUNTEER, PART-TIME, OR PAID ON-CALL
19 FIREFIGHTER WHOSE CERTIFICATION WAS REDUCED FROM A FIRE FIGHTER II
20 TO A FIRE FIGHTER I DUE TO AN EVENT UNDER SUBSECTION (15) OR
21 (16) (C) WHO SEEKS TO BECOME REEMPLOYED AS A VOLUNTEER, PART-TIME,
22 OR PAID ON-CALL FIREFIGHTER.

23 (15) IF A VOLUNTEER, PART-TIME, OR PAID ON-CALL FIREFIGHTER
24 HOLDING CERTIFICATION AS A FIRE FIGHTER II DISCONTINUES EMPLOYMENT
25 AS A VOLUNTEER, PART-TIME, OR PAID ON-CALL FIREFIGHTER FOR LONGER
26 THAN 5 YEARS, HIS OR HER CERTIFICATION SHALL BE REDUCED TO A FIRE
27 FIGHTER I.

1 (16) CERTIFICATION GRANTED TO A PERSON UNDER THIS ACT IS VALID
2 UNLESS OR UNTIL ANY OF THE FOLLOWING CONDITIONS OCCUR:

3 (A) THE COUNCIL REVOKES CERTIFICATION AS PART OF A
4 DISCIPLINARY PROCESS.

5 (B) THE CERTIFICATION BECOMES VOID BECAUSE THE PERSON
6 DISCONTINUES HIS OR HER EMPLOYMENT AS A FULL-TIME FIREFIGHTER,
7 FULL-TIME FIRE CHIEF, FIRE SERVICE INSTRUCTOR, OR FIRE OFFICER FOR
8 A PERIOD OF TIME EXCEEDING THE TIME PERIODS UNDER SUBSECTION (11),
9 (12), OR (13).

10 (C) THE CERTIFICATION BECOMES VOID BECAUSE THE PERSON
11 DISCONTINUES HIS OR HER EMPLOYMENT AS A VOLUNTEER, PART-TIME
12 FIREFIGHTER, OR PAID ON-CALL FIREFIGHTER FOR MORE THAN 7 YEARS.

13 (17) THE COUNCIL SHALL ISSUE A CERTIFICATE TO A PERSON WHO IS
14 CERTIFIED UNDER THIS ACT NOT MORE THAN 30 DAYS AFTER THE DATE A
15 PERSON IS CERTIFIED. A CERTIFICATE ISSUED TO A PERSON UNDER THIS
16 ACT REMAINS THE PROPERTY OF THE COUNCIL.

17 (18) A FIRE SERVICE MEMBER SHALL NOT KNOWINGLY PRESENT AS
18 VALID A CERTIFICATE ISSUED BY THE COUNCIL THAT HAS BEEN VOIDED OR
19 REVOKED BY THE COUNCIL. A PERSON WHO VIOLATES THIS SUBSECTION IS
20 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE
21 THAN 90 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

22 Sec. 9a. A writing prepared, owned, used, in the possession
23 of, or retained by the council in the performance of an official
24 function shall be made available to the public in compliance with
25 ~~Act No. 442 of the Public Acts of 1976, as amended, being sections~~
26 ~~15.231 to 15.246 of the Michigan Compiled Laws.~~ **THE FREEDOM OF**
27 **INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.**

1 SEC. 9B. (1) AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY
2 DEPARTMENT SHALL MAINTAIN AN EMPLOYMENT HISTORY RECORD FOR EACH
3 FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSTRUCTOR, FIRE
4 SERVICE PLAN EXAMINER, FIRE SERVICE INSPECTOR, FIRE SERVICE
5 INVESTIGATOR, OR FIRE OFFICER EMPLOYED BY THE ORGANIZED FIRE
6 DEPARTMENT OR PUBLIC SAFETY DEPARTMENT IN THE MANNER PRESCRIBED BY
7 THE COUNCIL.

8 (2) AN ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT
9 SHALL REPORT THE DATE ON WHICH EACH PERSON BEGINS OR ENDS
10 EMPLOYMENT AS A FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE
11 INSTRUCTOR, FIRE SERVICE INVESTIGATOR, FIRE SERVICE INSPECTOR, FIRE
12 SERVICE PLAN EXAMINER, OR FIRE OFFICER FOR THE ORGANIZED FIRE
13 DEPARTMENT OR PUBLIC SAFETY DEPARTMENT IN THE MANNER PRESCRIBED BY
14 THE COUNCIL.

15 Sec. 10. ~~The council may enter into agreement with other~~
16 ~~agencies, colleges and universities to carry out the intent of this~~
17 ~~act.~~

18 (1) EACH ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT
19 OR LOCAL GOVERNMENT CLERK SHALL FILE A STATEMENT WITH THE COUNCIL
20 DESIGNATING THE CHIEF OF THE DEPARTMENT AND PROVIDING CONTACT
21 INFORMATION FOR THE ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY
22 DEPARTMENT. IF THE DEPARTMENT CHIEF CHANGES, THE ORGANIZED FIRE
23 DEPARTMENT OR PUBLIC SAFETY DEPARTMENT SHALL NOTIFY THE COUNCIL IN
24 WRITING BY FILING A STATEMENT OF THE CHANGE WITHIN 7 DAYS OF THE
25 CHANGE.

26 (2) THE COUNCIL SHALL DEVELOP AND PROVIDE TO EACH ORGANIZED
27 FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT, UPON REQUEST OF THE

1 ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT AND AT NO
2 CHARGE, A DIGITAL VIDEO DISC OR OTHER ELECTRONIC FORM OF VIDEO
3 DISPLAY TO BE USED IN TRAINING FIREFIGHTERS. THE DIGITAL VIDEO DISC
4 OR OTHER ELECTRONIC FORM OF VIDEO DISPLAY SHALL BE BASED UPON THE
5 COUNCIL-APPROVED TRAINING PROGRAMS. THE COUNCIL MAY IMPOSE A
6 REASONABLE FEE FOR LOSS, DAMAGE, OR LATE RETURN OF A DIGITAL VIDEO
7 DISC OR OTHER ELECTRONIC FORM OF VIDEO DISPLAY PROVIDED TO AN
8 ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT UNDER THIS
9 SECTION. THE COUNCIL SHALL HAVE AVAILABLE NOT FEWER THAN 2 COPIES
10 OF EACH DIGITAL VIDEO DISC OR OTHER ELECTRONIC FORM OF VIDEO
11 DISPLAY FOR AN ORGANIZED FIRE DEPARTMENT'S OR PUBLIC SAFETY
12 DEPARTMENT'S USE.

13 (3) THE COUNCIL SHALL REVIEW AND MONITOR THE STATE AND FEDERAL
14 STANDARDS RELATING TO LIVE FIRE TRAINING EXERCISES IN STRUCTURES
15 AND MAKE RECOMMENDATIONS TO THE GENERAL INDUSTRY SAFETY STANDARDS
16 COUNCIL FOR ANY NEW OR MODIFIED STANDARDS NECESSARY FOR THE
17 PROTECTION OF FIREFIGHTER TRAINEES.

18 (4) THE COUNCIL SHALL PROMULGATE RULES CONCERNING ALL OF THE
19 FOLLOWING:

20 (A) THE CATEGORY OR CLASSIFICATION OF ADVANCED IN-SERVICE
21 TRAINING PROGRAMS FOR COUNCIL-CERTIFIED FIREFIGHTERS, FULL-TIME
22 FIRE CHIEFS, FIRE SERVICE INSPECTORS, FIRE SERVICE PLAN EXAMINERS,
23 FIRE SERVICE INVESTIGATORS, FIRE OFFICERS, AND FIRE SERVICE
24 INSTRUCTORS AND MINIMUM COURSES OF STUDY AND ATTENDANCE
25 REQUIREMENTS FOR THE CATEGORY OR CLASSIFICATION NEEDED FOR COUNCIL
26 CERTIFICATION.

27 (B) THE ESTABLISHMENT OF SUBORDINATE REGIONAL TRAINING CENTERS

1 IN STRATEGIC GEOGRAPHIC LOCATIONS TO DELIVER COUNCIL-APPROVED
2 TRAINING TO SERVE THE GREATEST NUMBER OF FIRE SERVICE AGENCIES THAT
3 ARE UNABLE TO SUPPORT THEIR OWN TRAINING PROGRAMS AND SUPPORT THE
4 FIRE SERVICE TRAINING MISSION OF THE COUNCIL.

5 (C) THE COUNCIL'S ACCEPTANCE OF CERTIFIED FIRE SERVICE
6 TRAINING AND FIRE SERVICE EXPERIENCE RECEIVED BY A PERSON IN
7 ANOTHER STATE TO SATISFY, IN WHOLE OR IN PART, THE MINIMUM
8 STANDARDS REQUIRED UNDER THIS ACT FOR A FIRE CHIEF, FIRE SERVICE
9 INSTRUCTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INSPECTOR,
10 FIRE SERVICE INVESTIGATOR, OR FIRE OFFICER.

11 (D) THE COUNCIL'S APPROVAL OF FIRE SERVICE TRAINING
12 ADMINISTERED BY A COUNTY, CITY, TOWNSHIP, VILLAGE, CORPORATION,
13 COLLEGE, COMMUNITY COLLEGE, UNIVERSITY, FIRE SERVICE ORGANIZATION,
14 OR COUNCIL-APPROVED REGIONAL TRAINING CENTER.

15 (E) THE MINIMUM QUALIFICATIONS FOR FIRE SERVICE INSTRUCTORS OF
16 APPROVED FIRE SERVICE TRAINING.

17 (F) THE MINIMUM EQUIPMENT AND FACILITIES REQUIRED FOR COUNCIL-
18 APPROVED FIREFIGHTER TRAINING.

19 (G) THE ESTABLISHMENT OF PRE-SERVICE BASIC FIREFIGHTER
20 CERTIFICATION TRAINING PROGRAMS AT HIGH SCHOOLS, COLLEGES, AND
21 UNIVERSITIES.

22 Sec. 11. (1) ~~The state fire marshal or the council~~ may **DO ALL**
23 **OF THE FOLLOWING:**

24 (a) Visit and inspect any firefighter training school, or
25 examine the curriculum or training procedures **OF A FIREFIGHTER**
26 **TRAINING SCHOOL**, for which application for approval **OF THE SCHOOL**
27 has been made.

1 (b) Issue certificates to firefighter training schools
2 qualifying under the regulations promulgated under this act.

3 (c) Authorize the issuance of certificates of graduation or
4 diplomas by approved firefighter training schools to firefighters,
5 **FULL-TIME FIRE CHIEFS, FIRE SERVICE INSTRUCTORS, FIRE SERVICE**
6 **INSPECTORS, FIRE SERVICE PLAN EXAMINERS, FIRE SERVICE**
7 **INVESTIGATORS, OR FIRE OFFICERS,** who have satisfactorily completed
8 minimum courses of study.

9 (d) Cooperate with state, federal, and local fire agencies in
10 establishing and conducting local or area schools or regional
11 training centers for instruction and training of firefighters,
12 **FULL-TIME FIRE CHIEFS, FIRE SERVICE INSTRUCTORS, FIRE SERVICE**
13 **INSPECTORS, FIRE SERVICE PLAN EXAMINERS, FIRE SERVICE**
14 **INVESTIGATORS, OR FIRE OFFICERS** of this state and its cities,
15 counties, townships, and villages.

16 (e) Make recommendations to ~~the state fire marshal, the~~
17 ~~governor, and the legislature~~ on matters pertaining to
18 qualification and training of firefighters, **FULL-TIME FIRE CHIEFS,**
19 **FIRE SERVICE INSTRUCTORS, FIRE SERVICE PLAN EXAMINERS, FIRE SERVICE**
20 **INSPECTORS, FIRE SERVICE INVESTIGATORS, OR FIRE OFFICERS.**

21 **(F) ESTABLISH PRE-SERVICE BASIC TRAINING PROGRAMS AT HIGH**
22 **SCHOOLS, COLLEGES, COMMUNITY COLLEGES, AND UNIVERSITIES.**

23 **(G) REQUIRE AN EXAMINATION FOR FIREFIGHTERS, FULL-TIME FIRE**
24 **CHIEFS, FIRE SERVICE INSTRUCTORS, FIRE SERVICE INSPECTORS, FIRE**
25 **SERVICE PLAN EXAMINERS, FIRE SERVICE INVESTIGATORS, OR FIRE**
26 **OFFICERS SEEKING CERTIFICATION UNDER SECTION 9.**

27 **(H) ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR**

1 MAINTAINING COUNCIL-AWARDED CERTIFICATION.

2 (I) ESTABLISH LEVEL OF FIRE SERVICE INSTRUCTOR ACTIVITY
3 NECESSARY TO MAINTAIN COUNCIL CERTIFICATION AS A FIRE SERVICE
4 INSTRUCTOR.

5 (J) ESTABLISH AND CHARGE A FEE TO RECOVER THE COST OF TESTING
6 AND TRAINING PROVIDED TO INDIVIDUALS WHO ARE NOT EMPLOYED BY AN
7 ORGANIZED FIRE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT OF THIS STATE
8 AND ARE SEEKING TO BE EMPLOYED AS A COUNCIL-CERTIFIED FIREFIGHTER,
9 FULL-TIME FIRE CHIEF, FIRE SERVICE INSTRUCTOR, FIRE SERVICE
10 INSPECTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR,
11 OR FIRE OFFICER.

12 (2) THE COUNCIL SHALL PROMULGATE RULES TO ESTABLISH THE
13 DEVELOPMENT, CONDUCT, AND RESPONSIBILITIES OF A COUNTY TRAINING
14 COMMITTEE IN EACH COUNTY OF THIS STATE. THE COUNCIL SHALL REQUIRE
15 THAT THE COUNTY TRAINING COMMITTEE REGISTER WITH THE COUNCIL AND
16 PROVIDE THE CONTACT INFORMATION FOR THE INDIVIDUAL WHO IS SERVING
17 AS THE COUNTY TRAINING COMMITTEE CHAIRPERSON.

18 (3) THE COUNCIL MAY ALLOW THE JOINT COOPERATION OF 2 OR MORE
19 COUNTIES TO FORM A REGIONAL TRAINING COMMITTEE CHARGED WITH
20 OVERSIGHT OF TRAINING NEEDS AND FUND DISTRIBUTION ON A REGIONAL
21 BASIS. THE COUNCIL SHALL OVERSEE THE DEVELOPMENT, CONDUCT, AND
22 RESPONSIBILITIES OF A REGIONAL TRAINING COMMITTEE.

23 (4) FEES CHARGED UNDER THIS SECTION SHALL BE DEPOSITED IN THE
24 FIREWORKS SAFETY FUND CREATED IN SECTION 11 OF THE MICHIGAN
25 FIREWORKS SAFETY ACT, 2011 PA 256, MCL 28.461.

26 SEC. 11A. (1) THE COUNCIL SHALL PROMULGATE RULES ESTABLISHING
27 A DISCIPLINARY PROCESS FOR THE SUSPENSION OR REVOCATION OF

1 CERTIFICATION AND ANY NECESSARY RETRAINING REQUIREMENTS TO MAINTAIN
2 OR RESTORE CERTIFICATION AFTER A SUSPENSION OR REVOCATION FOR A
3 FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE INSTRUCTOR, FIRE
4 SERVICE INSPECTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE
5 INVESTIGATOR, OR FIRE OFFICER FOR 1 OR MORE OF THE FOLLOWING:

6 (A) CONVICTION OF A FELONY CRIMINAL OFFENSE UNDER THE LAWS OF
7 THIS STATE, ANOTHER STATE, OR THE UNITED STATES.

8 (B) MAKING A MATERIALLY FALSE STATEMENT, CAUSING A MATERIALLY
9 FALSE STATEMENT TO BE MADE, OR OTHERWISE COMMITTING FRAUD DURING
10 THE APPLICATION FOR CERTIFICATION PROCESS.

11 (C) VIOLATING COUNCIL ADOPTED POLICIES CONCERNING THE
12 FOLLOWING:

13 (i) FIRE SERVICE INSTRUCTOR CONDUCT.

14 (ii) DELIVERY OF FIRE SERVICE TRAINING SCHOOLS.

15 (2) THE COUNCIL SHALL PROVIDE FOR THE SUSPENSION OR REVOCATION
16 OF A COUNCIL-CERTIFIED FIREFIGHTER'S, FULL-TIME FIRE CHIEF'S, FIRE
17 SERVICE INSTRUCTOR'S, FIRE SERVICE INSPECTOR'S, FIRE SERVICE PLAN
18 EXAMINER'S, FIRE SERVICE INVESTIGATOR'S, OR FIRE OFFICER'S USE OF
19 THE COUNCIL'S TRAINING INFORMATION NETWORK IN THE EVENT THE
20 COUNCIL-CERTIFIED FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE
21 INSTRUCTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INSPECTOR,
22 FIRE SERVICE INVESTIGATOR, OR FIRE OFFICER WRONGFULLY DISCLOSES
23 EXAM INFORMATION FROM THE TRAINING INFORMATION NETWORK.

24 (3) EXCEPT AS PROVIDED IN SUBSECTION (4), IF THE COUNCIL
25 ISSUES A FINAL DECISION OF DISCIPLINE AFFECTING THE CERTIFICATION
26 OF A COUNCIL-CERTIFIED FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE
27 SERVICE INSTRUCTOR, FIRE SERVICE INSPECTOR, FIRE SERVICE PLAN

1 EXAMINER, FIRE SERVICE INVESTIGATOR, OR FIRE OFFICER, THAT DECISION
2 IS SUBJECT TO JUDICIAL REVIEW UNDER THE ADMINISTRATIVE PROCEDURES
3 ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328.

4 (4) A PETITION FOR JUDICIAL REVIEW OF A FINAL DECISION OF THE
5 COUNCIL RESULTING IN DISCIPLINE AFFECTING THE CERTIFICATION OF A
6 COUNCIL-CERTIFIED FIREFIGHTER, FULL-TIME FIRE CHIEF, FIRE SERVICE
7 INSTRUCTOR, FIRE SERVICE INSPECTOR, FIRE SERVICE PLAN EXAMINER,
8 FIRE SERVICE INVESTIGATOR, OR FIRE OFFICER SHALL ONLY BE FILED IN
9 THE COURT OF CLAIMS.

10 (5) THE COUNCIL MAY ISSUE A SUBPOENA UNDER SECTION 73 OF THE
11 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.273, IN
12 A CONTESTED CASE OF DISCIPLINE OF A COUNCIL-CERTIFIED FIREFIGHTER,
13 FULL-TIME FIRE CHIEF, FIRE SERVICE INSTRUCTOR, FIRE SERVICE
14 INSPECTOR, FIRE SERVICE PLAN EXAMINER, FIRE SERVICE INVESTIGATOR,
15 OR FIRE OFFICER, IN WHICH THE DISCIPLINE MAY RESULT IN SUSPENSION
16 OR REVOCATION OF THE FIRE SERVICE MEMBER'S CERTIFICATION.

17 SEC. 11B. (1) THE COUNCIL MAY INVESTIGATE ALLEGED VIOLATIONS
18 OF THIS ACT OR RULES PROMULGATED UNDER THIS ACT.

19 (2) THE COUNCIL MAY HOLD HEARINGS, ADMINISTER OATHS, REQUEST
20 SUBPOENAS BE ISSUED, AND ORDER TESTIMONY TO BE TAKEN AT A HEARING
21 OR BY DEPOSITION. A HEARING HELD UNDER THIS SECTION SHALL BE
22 CONDUCTED IN ACCORDANCE WITH CHAPTER 4 OF THE ADMINISTRATIVE
23 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.271 TO 24.287. A FINAL
24 DECISION ORDER ISSUED BY THE COUNCIL IS SUBJECT TO JUDICIAL REVIEW
25 UNDER CHAPTER 6 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969
26 PA 306, MCL 24.301 TO 24.306.

27 (3) THE COUNCIL MAY REQUEST THAT A SUBPOENA BE ISSUED TO DO

1 EITHER OF THE FOLLOWING:

2 (A) COMPEL THE ATTENDANCE OF A WITNESS TO TESTIFY AT A HEARING
3 OR DEPOSITION.

4 (B) COMPEL THE PRODUCTION OF DOCUMENTS, PAPERS, BOOKS,
5 RECORDS, AND OTHER EVIDENCE.

6 (4) IF A SUBPOENA ISSUED AT THE REQUEST OF THE COUNCIL IS NOT
7 OBEYED, THE COUNCIL MAY PETITION THE COURT OF CLAIMS TO ORDER THE
8 ATTENDANCE OF A WITNESS OR THE PRODUCTION OF DOCUMENTS, PAPERS,
9 BOOKS, RECORDS, AND OTHER EVIDENCE. THE COURT OF CLAIMS MAY ISSUE
10 AN ORDER REQUIRING A PERSON TO APPEAR AND GIVE TESTIMONY OR PRODUCE
11 DOCUMENTS, PAPERS, BOOKS, RECORDS, AND OTHER EVIDENCE. FAILURE TO
12 COMPLY WITH AN ORDER OF THE COURT OF CLAIMS MAY BE PUNISHED AS
13 CONTEMPT OF COURT.

14 Sec. 12. ~~There~~ **THE COUNCIL** shall ~~be an~~ **APPOINT AN** executive
15 secretary **DIRECTOR** of the council who shall be appointed by the
16 council, and who shall hold office during ~~at~~ the pleasure of the
17 council. ~~He~~ **THE EXECUTIVE DIRECTOR** shall perform ~~such~~ **THE** functions
18 and duties as may be assigned to him by the council. ~~He~~ **THE**
19 **EXECUTIVE DIRECTOR** shall receive compensation and reimbursement for
20 expenses ~~within the amounts available by appropriation.~~ **AS APPROVED**
21 **BY THE COUNCIL.**

22 Sec. 15. Any city, county, township or village which desires
23 to receive aid pursuant to this act shall make application to the
24 council for such aid. **THE COUNCIL MAY ENTER INTO AGREEMENTS WITH**
25 **OTHER FIRE SERVICE ORGANIZATIONS, AGENCIES, COLLEGES, AND**
26 **UNIVERSITIES TO CARRY OUT THE INTENT OF THIS ACT WITH FUNDING**
27 **PROVIDED UNDER SECTION 14.**

1 Sec. 16. The council shall adopt rules and regulations in
2 accordance with the ~~provisions of Act No. 88 of the Public Acts of~~
3 ~~1943, as amended, being sections 24.71 to 24.82 of the Compiled~~
4 ~~Laws of 1948, and subject to Act No. 197 of the Public Acts of~~
5 ~~1952, as amended, being sections 24.101 to 24.110 of the Compiled~~
6 ~~Laws of 1948.~~**ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306,**
7 **MCL 24.201 TO 24.328.**

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.