

HOUSE BILL No. 5860

March 14, 2006, Introduced by Reps. Farhat and Kolb and referred to the Committee on Appropriations.

A bill to amend 1966 PA 291, entitled
"Fire fighters training council act of 1966,"
by amending the title and sections 3, 9, 11, and 14 (MCL 29.363,
29.369, 29.371, and 29.374), the title and section 3 as amended by
1987 PA 196 and section 9 as amended by 1988 PA 458.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to ~~provide for the creation of a~~ **CREATE THE** fire
3 fighters training council; to ~~provide for~~ **PRESCRIBE** the powers
4 and duties of the council, **THE STATE FIRE MARSHAL**, and certain fire
5 departments ~~or~~ **AND** other organizations; to ~~provide for the~~
6 ~~establishment of~~ **CREATE** the fire fighters training council fund
7 and **TO PROVIDE FOR** allocations ~~therefrom~~ **FROM THE FUND** to local
8 agencies of government participating in a ~~fire fighters~~
9 **FIREFIGHTERS** training program; and to make an appropriation.

1 Sec. 3. (1) The fire fighters training council is ~~hereby~~
2 created ~~within~~ **IN THE BUREAU OF FIRE SERVICES IN** the department
3 of ~~state police~~ **LABOR AND ECONOMIC GROWTH** and shall consist of 7
4 members selected as follows:

5 (a) The ~~director of state police~~ **STATE FIRE MARSHAL**, or his
6 or her designated representative, shall be ex-officio a member.

7 (b) Two members appointed to the council by the governor from
8 a list of 5 ~~active~~ **OR MORE** members submitted by the Michigan
9 **ASSOCIATION OF** fire ~~chief's association~~ **CHIEFS**.

10 (c) One member appointed to the council by the governor from a
11 list of 3 ~~active fire fighters~~ **OR MORE MEMBERS** submitted by the
12 Michigan ~~state fire fighter's association~~ **PROFESSIONAL FIRE**
13 **FIGHTERS UNION**.

14 (d) One member appointed to the council by the governor from a
15 list of 3 **OR MORE** names submitted by the Michigan state firemen's
16 association.

17 (e) One member appointed to the council by the governor from a
18 list of 3 **OR MORE** names submitted by the ~~metropolitan club of~~
19 ~~America, incorporated~~ **MICHIGAN FIRE SERVICES INSTRUCTION**
20 **ASSOCIATION**.

21 (f) One member appointed to the council by the governor from a
22 list of 2 **OR MORE** names submitted by the Michigan townships
23 association and 2 **OR MORE** names submitted by the Michigan municipal
24 league.

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

27 Sec. 9. (1) The **STATE FIRE MARSHAL, IN CONJUNCTION WITH THE**

1 council, shall prepare and publish standards with due consideration
2 to varying factors and special requirements of fire departments or
3 other organizations in the following areas:

4 (a) Advisory standards of physical, educational, mental and
5 moral fitness, which shall govern the recruitment, selection, and
6 appointment of ~~fire fighters~~ **FIREFIGHTERS**.

7 (b) The approval by the council of ~~fire fighter~~ **FIREFIGHTER**
8 training schools. The standards shall address, at least, the
9 following issues:

10 (i) The qualification and certification of instructors.

11 (ii) The courses of study, attendance, record-keeping
12 requirements, equipment, and facilities.

13 (iii) The visitation and evaluation of instructors and schools.
14 ~~by the council.~~

15 (c) The establishment of subordinate regional training centers
16 in strategic geographic locations in order to serve the greatest
17 number of fire departments that are unable to support their own
18 training programs.

19 (2) Each fire department or other organization shall file a
20 statement with the council designating at least 1 training officer
21 or training coordinator for the fire department. ~~by November 30,~~
22 ~~1988.~~ If a training officer or training coordinator is changed,
23 the fire department or other organization, within 7 days of the
24 change, shall file a statement notifying the council of the change.

25 (3) The council shall develop and provide to each fire
26 department or other organization, upon request of the fire
27 department or other organization and at no charge, a videotape to

1 be used in training ~~fire fighters~~ **FIREFIGHTERS**. The videotape
2 shall not include training that requires a practical demonstration.
3 The videotape shall be based on the fire fighters I and II
4 standards set forth in ~~the~~ "**STANDARD FOR** fire fighter
5 professional qualifications", national fire protection association
6 ~~pamphlet~~ **STANDARD** no. 1001, ~~1987~~ **2002** edition. The council may
7 impose a reasonable fee for loss, damage, or late return of a
8 videotape provided to a fire department or other organization under
9 this subsection.

10 (4) The **STATE FIRE MARSHAL, IN CONJUNCTION WITH THE** council,
11 shall develop and administer an examination, which shall include a
12 practical demonstration, a written or oral test, or a combination
13 thereof, to determine a person's competency in regard to the
14 knowledge and skill requirements set forth in fire fighter I and II
15 standards of ~~the~~ "**STANDARD FOR** fire fighter professional
16 qualifications", national fire protection association ~~pamphlet~~
17 **STANDARD** no. 1001, ~~1987~~ **2002** edition. The council, upon the
18 request of a fire department or other organization, shall
19 administer the examination in each county at least once every year.
20 The examination shall be administered in 2 parts. Part 1 shall test
21 the knowledge and skill requirements set forth in fire fighter I,
22 and part 2 shall test the knowledge and skill requirements set
23 forth in fire fighter II. The examination may be retaken, as
24 necessary, upon request from a fire department or other
25 organization.

26 (5) Within 12 months after a person's hiring date as a full-
27 time ~~fire fighter~~ **FIREFIGHTER**, the person must pass both part 1

1 and part 2 of the examination to be eligible for continued or
2 permanent full-time employment as a ~~fire fighter~~ **FIREFIGHTER**.

3 (6) Within 24 months after a person's appointment date as a
4 volunteer or paid on-call ~~fire fighter~~ **FIREFIGHTER**, a person must
5 pass part 1 of the examination to be eligible for continued
6 volunteer or paid on-call service as a ~~fire fighter~~ **FIREFIGHTER**.

7 (7) The examination described in this section shall not apply
8 to a person who is employed or under appointment as a ~~fire fighter~~
9 **FIREFIGHTER** on October 1, 1988, unless ~~a~~ **THE** person subsequently
10 changes his or her status from a volunteer or paid on-call ~~fire~~
11 ~~fighter~~ **FIREFIGHTER** to a full-time ~~fire fighter~~ **FIREFIGHTER**.

12 (8) The **STATE FIRE MARSHAL, IN CONJUNCTION WITH THE** council,
13 shall review and monitor the state and federal standards relating
14 to live fire training exercises in structures and make
15 recommendations to the general industry safety standards commission
16 for any new or modified standards ~~which in their opinion are~~
17 necessary for the protection of ~~fire fighter~~ **FIREFIGHTER**
18 trainees.

19 Sec. 11. The **STATE FIRE MARSHAL AND THE** council may:

20 (a) Visit and inspect any ~~fire fighter~~ **FIREFIGHTER** training
21 school, or examine the curriculum or training procedures, for which
22 application for approval has been made.

23 (b) Issue certificates to ~~fire fighter~~ **FIREFIGHTER** training
24 schools qualifying under the regulations ~~of the council~~
25 **PROMULGATED UNDER THIS ACT.**

26 (c) Authorize the issuance of certificates of graduation or
27 diplomas by approved ~~fire fighter~~ **FIREFIGHTER** training schools to

1 ~~fire fighters~~ **FIREFIGHTERS** who have satisfactorily completed
 2 minimum courses of study.

3 (d) Cooperate with state, federal, **AND** local fire agencies in
 4 establishing and conducting local or area schools ~~—~~ or regional
 5 training centers for instruction and training of ~~fire fighters~~
 6 **FIREFIGHTERS** of this state ~~—~~ **AND** its cities, counties, townships,
 7 and villages.

8 (e) Make recommendations to **THE STATE FIRE MARSHAL, THE**
 9 **GOVERNOR, AND** the legislature on matters pertaining to
 10 qualification and training of ~~fire fighters~~ **FIREFIGHTERS**.

11 Sec. 14. (1) The amounts annually appropriated by the
 12 legislature shall be paid by the state treasurer in accordance with
 13 the accounting laws of ~~the~~ **THIS** state upon certification of the
 14 executive secretary of the council for the purpose of reimbursing
 15 ~~the~~ **A** city, county, township, or village for ~~regular fire~~
 16 ~~fighters~~ **THE FOLLOWING:**

17 (A) **REGULAR FIREFIGHTERS** in the fire department in an amount
 18 not to exceed 1/2 of the salary paid to each ~~fire fighter~~
 19 **FIREFIGHTER** meeting the recruitment standards and participating in
 20 training ~~meeting~~ **THAT MEETS** the standard prescribed pursuant to
 21 this act during the period covered by the allocation, plus \$8.00 of
 22 the necessary living expenses incurred by ~~such fire fighter which~~
 23 **THE FIREFIGHTER THAT** are necessitated ~~by~~ **BECAUSE THE** training
 24 ~~requiring that he~~ **REQUIRES THE FIREFIGHTER TO** be away from ~~his~~
 25 **THE FIREFIGHTER'S** residence overnight. ~~The amounts annually~~
 26 ~~appropriated by the legislature shall be paid by the state~~
 27 ~~treasurer in accordance with the accounting laws of the state upon~~

~~certification of the executive secretary of the council for the purpose of reimbursing the city, county, township or village for volunteer fire fighters~~

(B) **VOLUNTEER FIREFIGHTERS** in an amount not to exceed \$12.50 for lost wages, to be matched by the local municipality for each ~~fire fighter~~ **FIREFIGHTER** meeting the recruitment standards and participating in training ~~meeting~~ **THAT MEETS** the standard prescribed pursuant to this act during the period covered by the allocation, plus \$8.00 of the necessary living expenses, to be matched by the local municipality, incurred by ~~such fire fighter~~ **THE FIREFIGHTER** ~~which~~ **THAT** are necessitated ~~by~~ **BECAUSE THE** training ~~requiring that he~~ **REQUIRES THE FIREFIGHTER TO** be away from ~~his~~ **THE FIREFIGHTER'S** residence overnight.

(2) If the ~~moneys~~ **MONEY** in the fire fighter training fund to be appropriated by the legislature for ~~such~~ salary and expense reimbursement ~~are~~ **UNDER THIS SECTION IS** insufficient to allocate ~~such~~ **THE** amount to each participating city, county, township, or village, the amount allocated to each shall be reduced proportionately. ~~In no event shall any allocations~~

(3) **AN ALLOCATION SHALL NOT** be made **UNDER THIS SECTION** to any city, county, township, or village ~~which~~ **THAT** has not, throughout the period covered by the allocation, adhered to the standards established ~~by the council~~ **UNDER THIS ACT** as applicable to personnel recruited or trained by ~~such~~ **THE** city, county, township, or village during ~~such~~ **THE** period.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are

1 enacted into law:

2 (a) Senate Bill No. 1133 or House Bill No.____ (request no.
3 03197'05 ***).

4 (b) Senate Bill No. 1144 or House Bill No.____ (request no.
5 03197'05 v **).

6 (c) Senate Bill No. 1145 or House Bill No.____ (request no.
7 03197'05 w **).

8 (d) Senate Bill No.____ or House Bill No. 5871(request no.
9 03197'05 x **).