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VOLUNTEER FIRE BOARD COMPENSATION

House Bill 5022 as introduced
First Analysis (9-23-03)

Sponsor: Rep. Neal Nitz
Committee: Local Government and
Urban Policy

THE APPARENT PROBLEM:

In some jurisdictions of the state, the fire protection services are administered by a volunteer fire board. Their efforts ensure that the range of fire and emergency services that is available to area residents meets national standards, and also that the local fire departments' functions are coordinated within the regional, state, and national fire service network. See *BACKGROUND INFORMATION* below.

Some fire administrative boards operate joint fire departments. For example, in southwestern Michigan within Berrien County, three jurisdictions—Lincoln Charter Township, Royalton Township, and the Village of Stephenville—operated the Tri-Unit Fire Department for 30 years, and paid the volunteer members of the fire administrative board a per diem as compensation.

However, beginning April 1, 2003 local leaders disbanded the multiple jurisdiction fire board, and the joint fire service was separated into two operations—one operated by each township, with the village served by Lincoln Township—because they felt that the population had grown too large to be safely served by one fire department.

Under Michigan law, a jurisdiction with less than 15,000 people cannot pay its volunteer fire administrative board members a per diem. After the reorganization, Lincoln Township, with a population of 14,500, discovered that the law prohibited the township fire board from continuing to pay its volunteer fire board members the per diem they had received when they served as members of the board that administered the Tri-Unit Fire Department.

In order to give townships with low populations the option of paying a per diem to volunteer fire administrative board members, legislation has been introduced.

THE CONTENT OF THE BILL:

House Bill 5022 would amend Public Act 33 of 1951, which provides for police and fire protection in townships, villages, and small cities having a population of under 15,000 people, to specify that the members of a police or fire administrative board, or the members of a board that combines the administrative functions for both police and fire protection, may be compensated a per diem as determined by the township board, as well as be entitled to actual and necessary expenses. Currently under the law, the members of the board must serve without compensation but are entitled to actual and necessary expenses approved by the township board incurred in the performance of official duties.

MCL 41.812

BACKGROUND INFORMATION:

The Michigan Fire Prevention Code, Public Act 207 of 1941, requires that all organized fire departments in the state report their fire and hazardous materials incidents to the state fire marshal, a process that 83 percent of the departments accomplish electronically, making Michigan the nation's leader in fire reporting. In 2002, Michigan recorded a total of 155 fire-related deaths, 137 of which occurred in 103 residential fires. Most fires were caused by unattended cooking, or careless use of smoking or heating materials.

According to the State Fire Marshal, there are 1,078 fire departments in the state of Michigan, and 31,024 fire fighters. Slightly less than six percent of the departments—62 departments, in all—are staffed by full-time professional firefighters who are paid, accounting for 28 percent of all firefighters. Slightly more than six percent—68 departments—are not paid at all, which accounts for about 15 percent of all firefighters. Another 17 percent—186 departments—are part-paid, accounting for about 57 percent of all firefighters. Most of the departments in the state—

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760 fire departments—are a combination, in which one or more members are paid, while the others are part-paid, or not paid at all.

Nearly all fire departments, whether full-time or volunteer, are part of the Michigan State Firemen's Association, which is, in turn, a part of the national network of fire departments called the National Volunteer Fire Council. As members of the association and affiliates of the council, all firefighters, whether full-time or volunteers, have access to education, training, and materials (as well as a subscription to the association's quarterly magazine, and insurance benefits).

The continuing education of firefighters is provided by the Michigan Fire Fighters Training Council, established by Public Act 291 of 1966. MFFTC provides local department with training standards, established courses of study, certification of instructors, regional training centers, networks with state and federal fire agencies, and the development and administration of mandatory certification exams for new fire fighters. The MFFTC offers more than 50 courses each year, ranging from basic fire fighter to administrative level training for fire officers. In 2002, the council administered 1,323 classes and issued certificates to 22,329 fire fighters.

For further information about the National Volunteer Fire Council, visit the organization's web site at <http://www.nvfc.org>

For further information about the Michigan State Firemen's Association, visit its web site at <http://www.angelfire.com/mi/michiganstatefiremen>

To read the annual reports, as well as the monthly newsletters entitled *Fire TIES* (concerning training, investigations, education and statistics) that are published jointly by the State Fire Marshal's Office and the Michigan Fire Fighters Training Council, visit the websites of the Fire Marshal Division of the Michigan Department of State Police at MORE, and of the Michigan Fire Fighters Training Council at <http://www.mfftc.org>

FISCAL IMPLICATIONS:

The House Fiscal Agency notes that the bill would increase local costs; however, the size of the increase is indeterminate because it would depend upon the amount of the per diem paid to the five-member boards, as well as upon the number of townships that would choose to pay the compensation, both of which are unknown. (HFA fiscal analysis dated 9-22-03)

ARGUMENTS:

For:

Townships and villages having fewer than 15,000 people should have the choice of offering their volunteer fire administrative board members a per diem as compensation. This legislation would remove the restriction that is currently in the law, and grant the governing boards of low population jurisdictions that option.

POSITIONS:

The Michigan Townships Association supports the bill. (9-23-03)

The Supervisor of Lincoln Charter Township supports the bill. (9-23-03)

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.