



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5860 (Substitute H-1 as reported without amendment)
House Bills 5861, 5862, and 5863 (as reported without amendment)
House Bill 5864 (Substitute H-1 as reported without amendment)
House Bills 5865 through 5871 (as reported without amendment)

Sponsor: Representative David Farhat (H.B. 5860)
Representative John Stahl (H.B. 5861)
Representative John Proos (H.B. 5862)
Representative Rich Brown (H.B. 5863)
Representative Marsha G. Cheeks (H.B. 5864)
Representative Roger Kahn (H.B. 5865)
Representative Rick Shaffer (H.B. 5866)
Representative Barbara Farrah (H.B. 5867)
Representative James Marleau (H.B. 5868)
Representative Morris Hood III (H.B. 5869)
Representative Gino Polidori (H.B. 5870)
Representative Chris Kolb (H.B. 5871)

House Committee: Appropriations

Senate Committee: Economic Development, Small Business and Regulatory Reform

CONTENT

The bills would amend various statutes to replace references to the State Fire Marshal Division with references to the Bureau of Fire Services, and make other changes. (Senate Bill 1133 would create the Bureau of Fire Services in the Department of Labor and Economic Growth (DLEG) and transfer the powers and duties of the Fire Marshal Division of the Michigan Department of State Police (MSP) to the Bureau.)

House Bill 5860 (H-1) would amend the Fire Fighters Training Council Act to transfer the Fire Fighters Training Council from the MSP to the Bureau of Fire Services in DLEG; change the manner in which the Legislature appropriates money for salary and expense reimbursement for firefighter training and other activities required under the Act; and make changes concerning the Council's responsibilities.

House Bill 5861 would repeal a section of Public Act 59 of 1935 (which provides for the MSP) that transferred certain departments to the MSP and requires the Commissioner of the Michigan State Police ex-officio to serve as State Fire Marshal.

House Bill 5862 would amend the Single State Construction Code Act to include on the State Construction Code Commission the State Fire Marshal or an employee of the Bureau of Fire Services designated by the State Fire Marshal, instead of a designee of the Office of Fire Safety.

House Bill 5863 would amend Part 771 (Mackinac Island Fire Protection) of the Natural Resources and Environmental Protection Act to require that fire protection service and apparatus meet the approval of the Bureau of Fire Services, rather than the State Fire Marshal.

House Bill 5864 (H-1) would amend the Electrical Administrative Act to require that the State Fire Marshal, or his or her representative, serve on the Electrical Administrative Board, instead of a representative of the Fire Marshal Division appointed by the Director of State Police. The bill also would allow the Board to establish industry advisory committees as it deemed advisable to consider issues and prepare recommendations to it regarding policy, regulation, and implementation of the Act.

House Bill 5865 would amend the Revised School Code to refer to a child care center located in a school building that was approved and inspected by the Bureau of Fire Services, rather than the State Fire Marshal.

House Bill 5866 would amend the Social Welfare Act to require that a county medical care facility be inspected and approved by the Bureau of Fire Services, rather than the State Fire Marshal, before opening.

House Bill 5867 would amend Public Act 227 of 1967 (which regulates the inspection, construction, installation, alteration, maintenance, repair, and operation of elevators and the licensing of elevator contractors) to refer to a noncombustible receptacle approved by the Bureau of Fire Services, rather than the State Fire Marshal.

House Bill 5868 would amend the Motor Carrier Safety Act to provide for approval by the Bureau of Fire Services, rather than the State Fire Marshal, of a hazardous material transfer under emergency services.

House Bill 5869 would amend Public Act 116 of 1973, which provides for the licensing and regulation of child care organizations, to require a representative of the Bureau of Fire Services, rather than the Fire Marshal Division, on an ad hoc committee formulating or amending rules under the Act. The bill also would refer to the Bureau, rather than the Fire Marshal, in several provisions.

House Bill 5870 would amend the Insurance Code to require an insured whose motor vehicle incurred a loss or damage caused by fire or explosion, to submit to the fire or local enforcement agency designated by the city, village, or township, a report prescribed by the Office of Financial and Insurance Services in conjunction with the Bureau of Fire Services, instead of a report prescribed by the State Fire Marshal.

House Bill 5871 would amend the Motor Vehicle Code to refer to driver training standards published under the Fire Fighters Training Council, rather than driver training standards of the Michigan Fire Fighters' Training Council.

House Bill 5860 (H-1) is tie-barred to Senate Bills 1133, 1144, and 1145 and House Bill 4871. House Bills 5862 through 5870 are tie-barred to Senate Bill 1133. House Bill 5871 is tie-barred to House Bill 5860.

MCL 29.361 et al. (H.B. 5860)

28.5 (H.B. 5861)

125.1503a & 125.1508b (H.B. 5862)

324.77101 (H.B. 5863)

338.882 (H.B. 5864)

380.1285a (H.B. 5865)

400.58 (H.B. 5866)

408.820 (H.B. 5867)

480.22 (H.B. 5868)

722.112 et al. (H.B. 5869)

500.3010 (H.B. 5870)

257.312e (H.B. 5871)

Legislative Analyst: J.P. Finet

FISCAL IMPACT

These bills would create a new Bureau of Fire Services in the Department of Labor and Economic Growth. The fire safety programs are housed within the Bureau of Construction Codes, which allows revenue from the Construction Code Fund to be used as a fund source for these programs. With the creation of a separate Bureau, the fire safety programs could no longer be supported with revenue from the Construction Code Fund in accordance with the State Construction Code Act, MCL 125.1522, which states that these funds are to be used to fund programs in the Bureau of Construction Codes. Under the Governor's FY 2006-07 budget proposal for this Department, the \$3 million of Construction Code Fund revenue is replaced with Corporations and Securities Fees revenue.

Date Completed: 4-21-06

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.