

# HOUSE BILL No. 5630

May 4, 2016, Introduced by Reps. Hughes and Vaupel and referred to the Committee on Appropriations.

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending sections 2, 13, and 14 (MCL 29.362, 29.373, and 29.374), as amended by 2006 PA 213.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2. As used in this act:

2       (a) "Council" means the firefighters training council.

3       (b) "Executive secretary" means the executive secretary of the  
4 council.

5       (c) "Firefighter" means a member, including volunteer members  
6 and members paid on call, of an organized fire department who is  
7 responsible for, or is in a capacity that includes responsibility  
8 for, the extinguishment of fires, the directing of the  
9 extinguishment of fires, the prevention and detection of fires, and

1 the enforcement of the general fire laws of this state. Firefighter  
2 does not include a person whose job description, duties, or  
3 responsibilities do not include direct involvement in fire  
4 suppression.

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

7 (e) "Firefighter training" means **AN** education or training  
8 **PROGRAM ELIGIBLE TO RECEIVE GRANTS FOR FIREFIGHTER TRAINING FROM**  
9 **THE FIREWORKS SAFETY FUND CREATED IN SECTION 11 OF THE MICHIGAN**  
10 **FIREWORKS SAFETY ACT, 256 PA 2011, MCL 28.461, designed and**  
11 **intended to enhance the ability of an organized fire department or**  
12 **the personnel of an organized fire department to safeguard life and**  
13 **property from damage from explosion, fire, or disaster, and to**  
14 **deliver fire suppression, EMERGENCY MEDICAL SERVICE, HAZARDOUS**  
15 **MATERIAL RESPONSE, TECHNICAL RESCUE, AIRPORT RESCUE AND**  
16 **FIREFIGHTING, FIRE INSPECTION, FIRE INVESTIGATION, FIRE SAFETY**  
17 **EDUCATION and other related fire services. FIREFIGHTER TRAINING**  
18 **INCLUDES, BUT IS NOT LIMITED TO, THE TRAINING REQUIRED FOR FIRE**  
19 **FIGHTER I AND FIRE FIGHTER II UNDER "STANDARD FOR FIRE FIGHTER**  
20 **PROFESSIONAL QUALIFICATIONS" NATIONAL FIRE PROTECTION ASSOCIATION**  
21 **STANDARD NO. 1001.**

22 ~~Sec. 13. There is created in the state treasury the~~  
23 ~~firefighters training fund from which the legislature shall~~  
24 ~~appropriate an amount of money deemed necessary for the purposes of~~  
25 ~~this act but appropriations from the firefighters training fund~~  
26 ~~shall not exceed 75% of money paid into the fund.~~**FIREFIGHTER**  
27 **TRAINING PROVIDED UNDER THIS ACT SHALL BE FUNDED BY THE MONEY**

1 COLLECTED FROM FIREWORKS SAFETY FEES UNDER SECTION 8 OF THE  
2 MICHIGAN FIREWORKS SAFETY ACT, 256 PA 2011, MCL 28.458, AND  
3 DEPOSITED IN THE FIREWORKS SAFETY FUND CREATED IN SECTION 11 OF THE  
4 MICHIGAN FIREWORKS SAFETY ACT, 256 PA 2011, MCL 28.461. THE FUND  
5 SHALL BE DISTRIBUTED TO FUND FIREFIGHTER TRAINING PROGRAMS AS  
6 PROVIDED IN SECTION 11 OF THE MICHIGAN FIREWORKS SAFETY ACT, 256 PA  
7 2011, MCL 28.461. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR  
8 SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE INTO THE GENERAL FUND.

9       Sec. 14. (1) From the amount annually ~~appropriated by law for~~  
10 ~~the council~~ DEPOSITED INTO THE FIREWORKS SAFETY FUND FOR  
11 FIREFIGHTER TRAINING UNDER SECTION 11 OF THE MICHIGAN FIREWORKS  
12 SAFETY ACT, 2011 PA 356, MCL 28.461, the council may request and  
13 the state fire marshal may approve annual training expenditures for  
14 the purposes of payments to counties to reimburse organized fire  
15 departments for firefighter training and other activities required  
16 under this act. **THE STATE FIRE MARSHAL MAY DENY REQUESTS NOT**  
17 **MEETING THE REQUIREMENTS OF THIS ACT.**

18       (2) The money approved under subsection (1) shall be disbursed  
19 to counties using a formula composed 70% of county population and  
20 30% of square miles within the county. A minimum disbursement to  
21 each county may be requested by the council and approved by the  
22 state fire marshal.

23       (3) The chairperson of a firefighter training committee  
24 established in each county shall survey the training needs of  
25 organized fire departments in the county and shall distribute the  
26 money received by the county under this section as prioritized by  
27 the organized fire departments in the county. If money distributed

1 to a county under this section for a fiscal year is not designated  
2 by the chairperson for distribution to organized fire departments  
3 in the county by January 1 of the fiscal year, the undesignated  
4 money shall be returned to the council ~~for redistribution using the~~  
5 ~~formula under subsection (2).~~ **AND MAY BE REDISTRIBUTED BY THE**  
6 **COUNCIL THROUGH THE APPLICATION PROCESS UNDER SECTION 15. THE STATE**  
7 **FIRE MARSHAL MAY DENY REQUESTS FOR REDISTRIBUTION THAT DO NOT MEET**  
8 **THE REQUIREMENTS OF THIS ACT. THE COUNCIL SHALL DEPOSIT**  
9 **UNDESIGNATED MONEY THAT IS NOT REDISTRIBUTED THROUGH AN APPLICATION**  
10 **UNDER SECTION 15 INTO THE FIREWORKS SAFETY FUND CREATED IN SECTION**  
11 **11 OF THE MICHIGAN FIREWORKS SAFETY ACT, 2011 PA 356, MCL 28.461.**

12 (4) Money shall be distributed under this section only to an  
13 organized fire department that has adhered to the standards  
14 established under this act for personnel recruited or trained by  
15 the organized fire department during the current and prior fiscal  
16 years.

17 (5) **ANNUAL EXPENDITURES OF THE FUNDS IN THE FIREWORKS SAFETY**  
18 **FUND DEDICATED TO FUNDING FIREFIGHTER TRAINING UNDER SECTION 11 OF**  
19 **THE MICHIGAN FIREWORKS SAFETY ACT, 2011 PA 356, MCL 28.461, SHALL**  
20 **NOT EXCEED 75% OF THE REVENUE GENERATED THROUGH THE COLLECTION OF**  
21 **FIREWORKS SAFETY FEES UNDER SECTION 8 OF THE MICHIGAN FIREWORKS**  
22 **SAFETY ACT, 2011 PA 256, MCL 28.458, UNLESS THE EXPENDITURE IS**  
23 **APPROVED BY THE COUNCIL AND STATE FIRE MARSHAL.**