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BILL



ANALYSIS

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Senate Bill 372 (as enrolled)
Sponsor: Senator Dale W. Zorn
Senate Committee: Regulatory Reform
House Committee: Workforce and Talent Development

Date Completed: 11-24-15

RATIONALE

It is reported that fire chiefs and local officials have had problems retaining and recruiting firefighters. Evidently, one constraint that employers have faced is the hiring process for out-of-State firefighters who are seeking to work in this State. Specifically, employers have described issues of redundancy within the certification process, which requires the examination of out-of-State firefighters who are already qualified. Other local employers have echoed the same difficulty concerning individuals from out-of-State who wish to be volunteer or part-time firefighters in Michigan. As a result, some people believe that the State should waive the required examination for out-of-State firefighters who meet Michigan standards.

CONTENT

The bill would amend the Firefighters Training Council Act to require the State Fire Marshal to waive firefighter examination requirements and extend reciprocity certification to a firefighter from another state seeking to work as a firefighter in this State if the firefighter were certified in the other state after successfully completing training that met State standards. Additionally, the bill would delete a provision that allows the Firefighters Training Council to fine a fire department for the loss, damage, or late return of electronic training materials.

Under the Act, the State Fire Marshal, with the approval of the Firefighters Training Council, must develop and administer an examination to determine a person's competency in regard to the knowledge and skill requirements for firefighters. The exam must be administered in two parts, Firefighter I and Firefighter II, based on the knowledge and skill requirements set forth in a national publication, "Standards for Fire Fighter Professional Qualifications", National Fire Protection Association Standard No. 1001.

Within 12 months after a person is hired as a full-time firefighter, he or she must pass both Part 1 and Part 2 of the exam to be eligible for continued or permanent full-time employment as a firefighter. Within 24 months after a person is appointed as a volunteer or paid on-call firefighter, he or she must pass Part 1 of the exam to be eligible for continued volunteer or paid on-call service as a firefighter.

Under the bill, the State Fire Marshal would have to waive the examination requirements and extend reciprocity for a firefighter from another state seeking to work in Michigan, upon verification that he or she was certified in his or her state after successfully completing a program that met or exceeded the standards set forth for Firefighter I and II in "Standard for Fire Fighter Professional Qualifications", National Fire Protection Association Standard No. 1001. The bill specifies that the presentation of records evidencing the required certification would automatically result in certification by this state.

Under the Act, the Council must develop and provide organized fire departments, upon request and at no charge, videotapes, digital video disks, or other electronic forms of video display to be used in the training of firefighters; the material may not require a practical demonstration. The bill

instead would allow the Council to provide fire departments, upon request and at no charge, training material in an electronic format. Furthermore, the bill would delete a provision that allows the Council to fine an organized fire department for the loss, damage, or late return of electronic training materials.

MCL 29.369

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

By requiring the waiver of examination requirements for out-of-State firefighters who meet Michigan's criteria, which are based on national standards, the bill would enable employers to hire out-of-State firefighters more easily. Ultimately, the firefighter workforce would be replenished and communities could better staff their fire departments, resulting in greater protection for residents.

Supporting Argument

Extending reciprocity to out-of-State firefighters who meet State standards would eliminate the retraining of individuals who are already qualified firefighters. To train and test these applicants again is a waste of time and resources.

Extending reciprocity to qualified out-of-State applicants also would speed up the hiring process, which would provide firefighting work for qualified individuals more rapidly. Requiring an applicant to proceed through training and examination when it is not necessary is burdensome to both the employer and the applicant. Furthermore, reciprocity potentially could lower the cost of certifying out-of-State firefighters applying for work.

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on the Department of Licensing and Regulatory Affairs (which houses the Bureau of Fire Services), and a minor, but likely positive fiscal impact on local units of government. It is unknown how many firefighters from other states would be granted reciprocity in Michigan under the bill, but in those cases the employing fire department could realize savings related to training new hires. For reference, the Fire Fighter I and II group course offered through the Fire Fighter Training Council costs \$13,275 and consists of 295 instructional hours. Since the course is a group course, the entire cost would not be saved if a single new hire had reciprocity, but rather the fire department could either not send anyone to the training (and possibly save its share of the fee if multiple fire departments were involved), or send another firefighter instead.

Fiscal Analyst: Josh Sefton

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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.