

# FIRE FIGHTER TRAINING DIVISION ADMINISTRATIVE RULES PUBLIC HEARING

March 24, 2021

Prepared by



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STATE OF MICHIGAN  
LICENSING AND REGULATORY AFFAIRS - BUREAU OF FIRE SERVICES  
FIRE FIGHTER TRAINING DIVISION  
ADMINISTRATIVE RULES PUBLIC HEARING  
Bureau of Fire Services  
Via Zoom Video Conference  
Wednesday, March 24, 2021, 11:00 a.m.

Members Present: Ann Searles, Bureau of Fire Services Deputy Director  
Andrea Keown, Bureau of Fire Services  
Kevin Schlmeyer, Michigan Fire Marshall  
Robert Stokes, Regional Coordinator FFTD  
Dan Hammerberg, Regional Coordinator FFTD

Also Present: Hollie Metts, Assistant to the Michigan Fire Marshall

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	TABLE OF CONTENTS	PAGE
1		
2		
3	Call to Order . . . . .	4
4	Regular Public Meeting. . . . .	6
5	Kyle Svoboda . . . . .	7
6	Chris Mantels. . . . .	9
7	Shaun Abbey. . . . .	12
8	Mark Fankhauser. . . . .	13
9	Michael McLeieer . . . . .	14
10	Mark Docherty. . . . .	16
11	Jack, Johnson, Jr. . . . .	18
12	Richard Clark. . . . .	18
13	Robert Cairnduff . . . . .	18
14	Alex Koshorek. . . . .	19
15	Justin Fox . . . . .	20
16	Bryce Tracy. . . . .	20
17	Adam Carroll . . . . .	21
18	Matthew Sahr . . . . .	24
19	Christopher Dean . . . . .	25
20	Jesse Marcotte . . . . .	26
21	Nicholas Vaught. . . . .	29
22	Kevin Edmond . . . . .	29
23	Eric Thomas. . . . .	30
24	Steve Heim . . . . .	31
25	Chris Krotche. . . . .	33

1	Mark Cleveland . . . . .	34
2	Jim Daveluy. . . . .	36
3	Shawn Allen. . . . .	37
4	Kevin Retzloff . . . . .	37
5	Mike Vogt. . . . .	37
6	Liam Karroll . . . . .	38
7	John Polzin. . . . .	41
8	Chris Lince. . . . .	41
9	Doug Bourgeois . . . . .	41
10	Rob Scott. . . . .	42
11	Andy Steeby. . . . .	43
12	Sean Canto . . . . .	44
13	Joe Grutza . . . . .	46
14	Charles Pichan . . . . .	46
15	Mike Harper. . . . .	46
16	Roger Bebeau . . . . .	47
17	Nicolas Gettel . . . . .	48
18	Josh Gray. . . . .	48
19	Chris Coughlin . . . . .	49
20	Christopher Love . . . . .	51
21	Anthony Watts. . . . .	51
22	Steve Mojzuk . . . . .	52
23	Jeff Friedenstab . . . . .	52
24	Jamal Mickles. . . . .	52
25	Jeffrey Forbes . . . . .	53

1	Robert Massey. . . . .	54
2	Timothy Seal . . . . .	54
3	Robert Smith . . . . .	56
4	Brian Rayle. . . . .	57
5	James Edwards. . . . .	57
6	Stacy Taylor . . . . .	57
7	Donald Bigger. . . . .	58
8	Adjourn/Adjournment . . . . .	60
9		
10		
11	EXHIBIT INDEX	PAGE
12		
13	Exhibit 1 marked . . . . .	60
14	(Notice of Public Hearing)	
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 Via Zoom Video Conference

2 Wednesday, March 24, 2021 - 11:00 a.m.

3 MS. SEARLES: Good morning. My name is Ann  
4 Searles, and I am the Deputy Director for the Bureau of Fire  
5 Services in the Department of Licensing and Regulatory  
6 Affairs. I will be conducting the hearing today. This is a  
7 public hearing on the proposed administrative rules  
8 entitled, "Fire Fighters Training Council General Rules."  
9 We are conducting the hearing as required by the  
10 administrative procedures Act to allow the public to comment  
11 on the proposed changes to this rule set.

12 As with all other public hearings on draft rule  
13 sets, the only items discussed during this hearing will be  
14 the proposed changes to the rule set. This hearing will not  
15 be covering any questions or discussions on any other  
16 issues. We are calling this hearing to order at 11:00 a.m.  
17 on March 24th, 2021 via Zoom to comply with the statutory  
18 requirement. The Notice of Public Hearing was published in  
19 three newspapers of general circulation; The Grand Rapids  
20 Press, The Oakland Press, The Mining Journal, all on March  
21 1st, 2021, as well as with the Michigan Register, Issue  
22 3-2021, published on March 1st, 2021.

23 All comments should relate directly to the  
24 proposed rules. We will take comments in the following  
25 manner: For those wishing -- or using the video conference

1           portion, please use the "Raise your hand" feature in Zoom.  
2           Let me share my screen to show you how to do that. Can  
3           everybody see my screen?

4                       (Shares document via video)

5           MS. SEARLES: Sorry about that. Hold on. Let me  
6           try that again. Can everybody see my screen that shows the  
7           participants down at the bottom? Andrea, can you see that?

8           MS. KEOWN: (Shaking head negatively)

9           MS. SEARLES: No? Well, I guess it's not going to  
10          show. What you will do is look down at the bottom of the  
11          screen; it shows "participants." You will click on the  
12          participants located in the menu bar there, and then the  
13          option to "raise your hand" is available at the bottom of  
14          the participant list. If you don't see this option, you  
15          will need to expand the participants list. I will call on  
16          individuals to speak, and they will be un-muted at that  
17          time.

18                      For participants that are available only by  
19          telephone, after the video participants have finished, we  
20          will call off the last four digits of your phone number, and  
21          we will ask you if you wish to make a comment. If you have  
22          a comment but do not wish to speak, please note that the  
23          department will also accept written statements, emailed or  
24          postmarked, to LARA-BFS@michigan.gov until 5:00 p.m. today.  
25          The Bureau will not accept public comments on the Rules in

1 the chat function in Zoom. If you have previously submitted  
2 comments in writing to the Bureau, it is not necessary for  
3 your to repeat your comments on the record today. Comments  
4 made in writing will be received and considered by the  
5 department in the same manner as comments made during the  
6 public hearing. Those making comments during this hearing  
7 should clearly -- should speak clearly and slowly, and say  
8 and spell your name, and advise us if you are speaking on  
9 behalf of an organization.

10 Each person will have the opportunity to speak  
11 only once, and comments will be limited to three minutes per  
12 person. The speaker will be verbally stopped at three  
13 minutes -- at the three-minute mark, and we will move on to  
14 the next speaker. The department staff and the Bureau of  
15 Fire Services includes myself and Andrea Keown. Is there  
16 anyone who wishes to make comments on the Fire Fighters  
17 Training Council General Rules? If so, please, on the  
18 bottom of your screen, click on the participant list, and  
19 select "raise your hand."

20 MFIS Administrator.

21 KYLE SVOBODA

22 MR. SVOBODA: Kyle Svoboda, K-y-l-e,  
23 S-v-o-b-o-d-a, current president of the Michigan Fire  
24 Inspector Society, and that is who I am representing today.  
25 First of all, I wanted to say "thank you" to the committee

1 members, who are sitting on the committee to review the  
2 rules. We realize there has been quite a few hours of your  
3 time in meetings and away from the office to make sure that  
4 this process is done in a fair manner, and we appreciate  
5 that time.

6 Overall, the Board sees that the rules are going  
7 to make the Fire Service better, and throughout the process,  
8 our representative on the e-board has done a very good job  
9 talking about our questions and comments and concerns, and  
10 relaying those answers back to us.

11 All things considered, it does appear that there  
12 is one major concern of talking with a few of the groups,  
13 and realistically, the Board recognizes that we started with  
14 dozens of issues and concerns, and we've whittled it down to  
15 one, and we think that, you know, it should be considered a  
16 win at the end of the day, and it shows the process works.  
17 The one point that we were wanting to mention and maybe  
18 bring to the attention and talk about the possible concerns  
19 that might come about of it, is obviously the reciprocity.  
20 That's the one major concern that we have made aware of with  
21 other organization and other groups.

22 Section 29.403, number 5, what's unclear to us is  
23 the process for obtaining the MOU, what the standard of  
24 allowing for an MOU is, and what the extent is going to be  
25 for allowing MOU's outside of the State of Michigan. We've

1        had many conversations with our community members, as well  
2        as other members out there at large in the Fire Service, and  
3        there has been lots of confusion as to what's going to be  
4        allowed, what's not going to be allowed, and our  
5        representative, at the end of the day, has assured us that  
6        the intent is not to be a negative impact on our members.  
7        And so with this in mind, all of our significant concerns  
8        with the fire inspectors have been addressed. We do realize  
9        it's a democratic process and votes counted, and our  
10       executive board supports our vote on the rules from our  
11       representatives, and we support the rules moving forward to  
12       JCAR. Thank you.

13                    MS. SEARLES: Thank you. Chris Mantels.

14                    CHRIS MANTELS

15                    MR. MANTELS: Good morning. Chris Mantels,  
16       C-h-r-i-s, M-a-n-t-e-l-s. I would also like to thank all of  
17       you for the time and the opportunity to speak today. I am  
18       the deputy chief of a combination department made up of six  
19       career firefighters and 25 paid-on-call firefighters. I am  
20       also a member of the Michigan Professional Fire Fighters  
21       Union, the Michigan Fire Service Instructors Association,  
22       the Michigan State Fireman's Association, the Michigan  
23       Association of Fire Chiefs, and the Michigan Fire Inspector  
24       Society.

25                    I very much appreciate all of the time and efforts

1 the Michigan Fire Fighters Training Council has spent  
2 drafting the administrative rules. I know they have spent  
3 more than 150 hours throughout 40 or more meetings-at-work  
4 sessions. In the Fire Service, we have a saying, "We don't  
5 train until we get it right, we train until we can't get it  
6 wrong." In my opinion, even with all the time spent by the  
7 Council on the rules, they still have a few sections of the  
8 draft rules wrong. We have over 30,000 firefighters in the  
9 State of Michigan, and according to data from FEMA, 86  
10 percent are volunteers or primarily volunteer departments.

11 The draft rules are going to hold 86 percent of  
12 firefighters to the same training requirements as the 13  
13 percent of career firefighters in Michigan. I am very much  
14 in support of well-trained fire fighters, whether volunteer,  
15 paid-on-call, or career. However, we have to find the  
16 balance of what is realistic and obtainable for our  
17 volunteer agencies that make up 86 percent of the  
18 firefighters in the state. Every fire department in the  
19 United States is struggling with recruitment and retention,  
20 and if we set the bar an unachievable height with annual  
21 training requirements, we risk losing even more qualified  
22 personnel.

23 As a senior command officer, it is my duty to make  
24 sure my department is compliant with MIOSHA Part 74, and my  
25 personnel are trained and retrained with the duties

1 commensurate with their job. The draft rules do not need to  
2 micromanage what MIOSHA has had in place for years. The  
3 current draft rules to not treat the different fire service  
4 disciplines the same. I currently hold a Pro Board Fire  
5 Instructor II certificate the State of Michigan will not  
6 accept, and as I interpret the draft rules, may never accept  
7 unless a memorandum of understanding is signed with the  
8 parole board agencies. For many years, Michigan State  
9 Police has taught arson school to fire investigators, and  
10 the Michigan Fire Inspector Society has taught the NFPA  
11 inspector program. Both programs have awarded a Pro Board  
12 certificate that has been accepted by the Bureau of Fire  
13 Services without a memorandum of understanding.

14 Why now are we singling out once accredited  
15 organization in Pro Board by requiring an (inaudible). The  
16 draft rules need to remove any reference to MOU's and allow  
17 Pro Board, IFSAC, and National Fire Academy certificates to  
18 be accepted in their entirety for both in-state and out-of-  
19 state candidates. I and several others spoke on this at  
20 several of the 40 work sessions with the Training Council;  
21 however, it appears to have fallen on deaf ears, as the  
22 draft rules are still not right.

23 I would respectfully request that the current  
24 draft rules be denied moving forward for adoption as  
25 currently written. In my opinion, the draft administrative

1 rules need to return to the Michigan Fire Fighters Training  
2 Council for amendments to the reciprocity and training hour  
3 requirement sections. Thank you for your time.

4 UNKNOWN SPEAKER: Exactly.

5 (Off the record interruption)

6 MS. SEARLES: Shaun Abbey.

7 SHAUN ABBEY

8 MR. ABBEY: Good morning. Shaun Abbey, S-h-a-u-n,  
9 A-b-b-e-y. I'm a battalion chief with the Kentwood Fire  
10 Department and oversee our training program. I speak in  
11 favor of moving the Act forward to the JCAR process, and  
12 support the amendments made. I'll be very brief and just  
13 say that all of our organizations and the whole Fire Service  
14 has had input on what this looks like at this point, and  
15 there is a lot of time that has been spent by a lot of  
16 people over the course to get us to where we are.

17 I think it's a fair document, and it -- it's going  
18 to move the Fire Service forward, continue to make our  
19 communities safe, and our firefighters safe, and the  
20 residents of Michigan safe by providing better training.  
21 Thank you.

22 MS. SEARLES: Mark Fankhauser. Can you un-mute,  
23 Mark?

24 MR. FANKHAUSER: Can you hear me now?

25 MS. SEARLES: Yes.

1 MARK FANKHAUSER

2 MR. FANKHAUSER: Sorry about that glitch. Good  
3 Morning, everyone. Mark Fankhauser, spelled, M-a-r-k,  
4 F-a-n-k-h-a-u-s-e-r. Good morning, everyone. Thank you for  
5 your time; thank you for the opportunity to address you. I  
6 hail from Cedar Springs, Michigan; however, I am a fire  
7 captain for the Grand Rapids Fire Department. Today, I am  
8 speaking on my own behalf. I stand in support of Act 291.  
9 As an engaged and active member of the Michigan Fire  
10 Service, I (inaudible) our entire (inaudible) position is to  
11 support this -- that all members of the Michigan Fire  
12 Service deserves the best possible education and standards  
13 to clearly define a process to move forward in the Michigan  
14 Fire Service.

15 It should not make a difference which municipality  
16 you hail from. Regardless if it is completely volunteer or  
17 career, every fire service member should be held to the same  
18 standard that is recognizable and measurable to an  
19 established standard. Our communities, regardless if it's  
20 from Bruce Crossing in the UP to the City of Detroit in the  
21 lower peninsula, those communities and those members deserve  
22 our best, and by adopting Act 291, this is clearly a step in  
23 the right direction. Thank you for your time. I yield back  
24 my time.

25 MS. SEARLES: Michael McLeieer.

1 MICHAEL MCLEIEER

2 MR. MCLEIEER: Okay. Thank you. Michael  
3 McLeieer, M-i-c-h-a-e-l, last name,  
4 M-c, capital, L-e-i-e-e-r. I'm the immediate past president  
5 of the Michigan State Fireman's Association and today I am  
6 the official spokesperson for the MSFA. Michigan State  
7 Fireman's Association represents 1,883 firefighters, company  
8 officers, and fire chiefs across the State of Michigan. I'm  
9 offering the following testimony to proposed Rules  
10 2019-21 LR regarding the Fire Fighter Training requirements.  
11 Our organization strives to ensure those on the front line  
12 within the Fire Service are provided extensive training and  
13 instruction so they can perform their duties that not only  
14 protects the public, but also recognizes the dangers  
15 inherent with the profession so they can have the tools to  
16 protect themselves.

17 Our review of the proposed rules has raised a  
18 significant concern regarding the training requirements  
19 proposed, and if they actually improve how we perform our  
20 duties for our communities. Although we believe the  
21 intentions behind the proposed rules are genuine, if  
22 enacted, they could have a negative impact on our ability to  
23 effectively and efficiently serve our communities, and  
24 increases our challenges with regards to recruitment and  
25 retention of our firefighters.

1                   The following outlines the concerns specific to  
2                   the proposed rules: Reciprocity recognition for  
3                   credentialing, proposed Rule 29.404. Pro Board is the  
4                   accrediting body for agencies that certify candidates to the  
5                   disciplines and levels identified in the National Fire  
6                   Protection Association, NFPA, professional standards.  
7                   Currently, there are over 70 agencies accredited by the Pro  
8                   Board, and those offer accredited certification to fire  
9                   service professionals across the country and around the  
10                  globe. The requirement of the Bureau of Fire Services  
11                  maintaining an MOU with multiple Pro Board approved  
12                  organizations across the country is an administrative  
13                  redundancy and does not enhance firefighter training in any  
14                  meaningful capacity. We encourage the Board to replace the  
15                  proposed administrative burdensome language with the  
16                  following that adheres to the intent of PA 291:

17                         "The Bureau shall recognize and offer reciprocity  
18                         to any individual holding or obtaining a certification  
19                         from a nationally recognized, accredited organization  
20                         that meets the NFPA standard at the time of issue."

21                         In closing, ensuring that all fire service  
22                         personnel receive the necessary training to perform their  
23                         duties effectively and safely is of primary importance to  
24                         our villages, cities and townships. We need to provide our  
25                         firefighters with every opportunity to obtain nationally

1 recognized certification and additional professional  
2 development opportunities. I hold numerous Pro Board  
3 certifications and know firsthand the benefits of  
4 recognizing reciprocity. I appreciate the opportunity to  
5 provide input on these rules and consideration of the  
6 changes outlined above. Thank you so much for your time.

7 MS. SEARLES: Mark Docherty.

8 MARK DOCHERTY

9 MR. DOCHERTY: Good morning. Again, I would like  
10 to also thank everybody for all their hard work. This has  
11 been a very collaborative effort over the last few years,  
12 many hours put involved, much input. But with a  
13 collaborative effort, you're going to have some issues.  
14 You're not going to always get your way. And that's the  
15 whole point, is everybody was allowed to express their  
16 concerns, many changes were made, and it was voted through a  
17 democratic process to move forward.

18 So -- I guess I have to state my name, too. Mark  
19 Docherty, M-a-r-k, D-o-c-h-e-r-t-y. I am a battalion chief  
20 with the City of Sterling Heights Fire Department. I am  
21 also the president of the Michigan Professional Fire  
22 Fighters Union. Continuing on, this was a democratic  
23 process; these concerns were addressed; the reciprocity was  
24 addressed. We don't feel the claims they make are true. So  
25 I support, obviously, 100 percent moving this forward.

1       Let's move this, due process. It was voted out by a great  
2       majority of the Training Council to move forward based on  
3       these concerns.

4               One thing I do want to address is the comments  
5       about training. The comments that this will somehow impact  
6       the paid -- the on-call and volunteer. It's ridiculous.  
7       Training directly affects the safety of firefighters. Why  
8       do they not deserve the same level of safety as we do as  
9       career firefighters? These aren't requirements that are too  
10      much. Right now, currently, we don't require anything, any  
11      training whatsoever in continuing education for training our  
12      firefighters; nothing. They cannot train again for the rest  
13      of their career and they would not meet -- or they meet the  
14      guidelines. This is putting a base in there to say that you  
15      do have to do some training. It's for their safety, and  
16      ultimately for the safety of our residents.

17             So we strongly support training. We strongly  
18      support this baseline -- and this isn't saying this is the  
19      minimal -- or the most they have to have; this is the  
20      minimal. I agree 100 percent there is more training based  
21      on your response types that you may have to get through  
22      years, but this is a base. Please move this forward. This  
23      has been a collaborative effort. We support it 100 percent,  
24      and we would like to see them adopted. Thank you.

25             MS. SEARLES: Jack Johnson, Jr.

1 JACK JOHNSON, JR.

2 MR. JOHNSON: Hi. My name is Jack Johnson, Jr.,  
3 spelled, J-a-c-k, J-o-h-n-s-o-n, J-r. I currently live in  
4 Montcalm County, and I am a battalion chief with the City of  
5 Grand Rapids Fire Department representing my own views here  
6 today. And I will be brief, and just let you know that I  
7 support moving this forward. Thank you.

8 MS. SEARLES: Thank you. Richard Clark.

9 RICHARD CLARK

10 MR. CLARK: Good morning. My name is Richard  
11 Clark, R-i-c-h-a-r-d, C-l-a-r-k. I'm a captain with the  
12 Grand Rapids Fire Department. I live in Kent County. I  
13 wholehordidly (phonetic) -- wholeheartedly -- excuse me  
14 support this. Training should be -- recognized and accepted  
15 by everybody in the Fire Service, regardless of volunteer,  
16 paid on-call, or professional. And that's all I  
17 wanted (inaudible). Thank you.

18 MS. SEARLES: Thank you. Bob Cairnduff.

19 ROBERT CAIRNDUFF

20 MR. CAIRNDUFF: Thank you. Robert Cairnduff, City  
21 of Fenton Fire Department; R-o-b-e-r-t, C-a-i-r-n-d-u-f-f.  
22 Here today -- I do disagree with some of the comments today.  
23 I am in full support of the letter that the Michigan  
24 Association of Fire Chiefs submitted with the points that  
25 they established. There are differences between career,

1       paid-on-call, and volunteer departments, and those concerns  
2       are not met by the current proposal.

3               We are struggling as it is to get members, keep  
4       members. It is a national problem, and the increased  
5       training requirements, that although were not identified  
6       specifically, will have an impact on the smaller  
7       departments. And that is my opinion, and I will be done  
8       with that point. Thank you.

9               MS. SEARLES: Alex Koshorek.

10              MR. KOSHOREK: Hello. Can you hear me?

11              MS. SEARLES: Yes.

12              MR. KOSHOREK: I just am here to --

13              MS. SEARLES: Could you state your name, please?

14              MR. KOSHOREK: -- in favor of --

15              MS. SEARLES: Could you state and spell your name,  
16       please?

17                               ALEX KOSHOREK

18              MR. KOSHOREK: I'm sorry. It's, A-l-e-x,  
19       K-o-s-h-o-r-e- -- and I am just here to speak in favor of  
20       the proposed changes. I feel that these changes are  
21       necessary and overdue. I think that the committee was made  
22       up and diverse enough that it performed its due diligence,  
23       and -- throughout the process, and it is time that we  
24       implement these changes, help us achieve a level of  
25       professionalism that the Fire Service and our citizens

1           deserve. Thank you. That's all I have.

2                   MS. SEARLES: Okay. Thank you. Justin Fox.

3                                   JUSTIN FOX

4                   MR. FOX: Hello, my name is Justin Fox,  
5           J-u-s-t-i-n, F-o-x. I serve for the City of Midland Fire  
6           Department, and I also serve with the Michigan Professional  
7           Fire Fighters Union and a northern trustee. I am here to  
8           state that I am in full support of these rule changes. I  
9           know it's been said before, but there were many hours put in  
10          on this, and it was democratically elected and approved, and  
11          I think firefighters need to have a high standard of  
12          training, no matter where they're at in the state, be it  
13          volunteer, full time, or part time. So I would like to just  
14          state I am in full support of these Rules. Thank you.

15                   MS. SEARLES: Thank you. Bryce Tracy.

16                   MR. TRACY: Good morning, everybody, and hello to  
17          a lot of my fellow --

18                   MS. SEARLES: Could you -- Bryce, could you state  
19          your name and spell it, please?

20                                   BRYCE TRACY

21                   MR. TRACY: Sure. Sorry about that. Bryce Tracy,  
22          that's, B-r-y-c-e, T-r-a-c-y. Good morning to everybody,  
23          and hello to a lot of our brothers and sisters in the Fire  
24          Service. It's nice to see everybody here today. I am  
25          speaking on behalf of myself, as a long-time member of the

1 Fire Service and instructor in and around the state of  
2 Michigan. I appreciate all of the efforts of the committee,  
3 and I am in full support of moving this process forward as  
4 it stands.

5 As we evolve and walk through the evolution of the  
6 Fire Service, everybody always has to adapt to change. We  
7 may not always like it, but it's something that we do have  
8 to strive through and live through. We have had plenty of  
9 time to collaborate, discuss, and sometimes agree to  
10 disagree on many issues that come amongst us in the Fire  
11 Service. However, the standards and the rules that are  
12 placed within this process now and moving forward will  
13 provide something that is measurable. We will establish a  
14 standard that Michigan once had as first in leading in the  
15 nation many decades ago and will provide accountability and  
16 safety for everyone involved. No one always likes change,  
17 but change is going to be needed, and this, overall, is the  
18 right direction to go. Again, I am in full support of this  
19 process moving forward. Thank you for your time, and good  
20 to see everybody today.

21 MS. SEARLES: Adam Carroll.

22 ADAM CARROLL

23 MR. CARROLL: Hello. My name is Adam Carroll,  
24 A-d-a-m, C-a-r-r-o-l-l. I'm the fire chief for the  
25 Heartland Deerfield Fire Authority who I am representing

1           today. I am also chair of the Livingston County Training  
2           Committee, a board member of the Michigan Fire Service  
3           Instructors Association, and a member of both the Michigan  
4           Fire Inspector Society and the Michigan Association of Fire  
5           Chiefs. I have been actively involved in training for over  
6           25 years, and I thank you for the opportunity to discuss  
7           what is likely the most significant event for the Michigan  
8           Fire Service in decades.

9                       These rules are almost great, save for a couple of  
10           simple flaws that can be easily rectified. Specifically  
11           regarding proposed Rule 29.405, the law does a wonderful job  
12           of identifying and calling for what is required for a person  
13           to demonstrate competency for certification, that is written  
14           and practical testing to national standards. This ensures  
15           that anyone who wants to certify must demonstrate or perform  
16           competently all of the KSA's, or knowledge, skills, and  
17           abilities commensurate to that certification. In their  
18           current form, the rules extrapolate this testing-for-  
19           certification language into a sitting-for-submission  
20           language that does not lead to a student's success. In  
21           reality, we know the students learn in a variety of ways and  
22           at different rates through a combination of visual, audible,  
23           reading and kinesthetic activities, along with varying  
24           combinations of quality instruction, coaching, repetition,  
25           and evaluation.

1                   To force every student into learning by enduring  
2                   is a disservice to any student and is contrary to what we  
3                   now about how we learn. While there are many examples, most  
4                   recently and accurately, the new fire marshal curriculum was  
5                   ruled out as a virtual program, and the students were all  
6                   successful in completion. However, their course time prior  
7                   to certifying by testing varied from 29 to 67 hours.

8                   Certainly, there are plenty of students who will  
9                   benefit from and take advantage of in-class opportunities.  
10                  In fact, most courses are designed to be delivered in just  
11                  that way. However, archaically requiring all the classes,  
12                  all the time is counterproductive and unnecessary because we  
13                  know how a student learns varies with each student. There  
14                  are many students who learn faster and better by different  
15                  methods, and in all cases, a good instructor will properly  
16                  prepare each student based on that student's learning  
17                  styles. This is already provided for in the language of the  
18                  law, which in all cases requires successfully demonstrating  
19                  competency through written and practical testing to national  
20                  standards.

21                  Regarding Rule 29.418, there is no doubt the fire  
22                  chiefs and public safety directors must be nothing less than  
23                  competent. However, there are many glaring counter-  
24                  indications to being listed in this rule, beginning with  
25                  there being no NFPA standards to measure these

1        classifications against. In addition, in most cases, they  
2        already fall into one or more of the other classifications,  
3        making it redundant. Then, and perhaps a larger issue, both  
4        of these classifications are at the sole discretion and  
5        responsibility of the local government entity to appoint.

6                Just as the law did not due, the rules should not  
7        overreach into creating local government conflicts and the  
8        potential liability implications of rendering a  
9        municipality's selection as unqualified, especially when  
10       these classifications have no national standard to measure  
11       against, and the rules do not add any value to them other  
12       than what -- other than what is already indicated in the  
13       other classifications. Thank you.

14               MS. SEARLES: Matt Sahr.

15                        MATTHEW SAHR

16               MR. SAHR: Hello, my name is Matthew Sahr,  
17       M-a-t-t-h-e-w, last name, Sahr, S-a-h-r. I've been in the  
18       Fire Service for 20 years. I am currently working for the  
19       City of Eastpointe Fire Department. I am also a -- a  
20       representative of the Michigan Professional Fire Fighters.  
21       I am here today to speak in full support of the changes.

22               I think training is paramount for the Fire Service  
23       and a firefighter, whether it be at a paid-on-call, or  
24       volunteer department, or a career department; it should all  
25       be held to the same standard, and to say anything less than

1           that would be detrimental to our trade as a whole and to the  
2           residents that we represent. There is a lot of people on  
3           here that are making their comments, and I respect all of  
4           them, but it should be known that from my personal  
5           perspective, training is paramount, and it should not be  
6           discounted, whether you're career, paid-on-call, or  
7           volunteer. Thank you for your time.

8                       MS. SEARLES: Christopher Dean.

9                               CHRISTOPHER DEAN

10                      MR. DEAN: Hello. My name is Christopher Dean. I  
11           am the fire chief for --

12                      MS. SEARLES: Could you spell your name, please?

13                      MR. DEAN: I'm sorry. C-h-r-i-s-t-o-p-h-e-r,  
14           D-e-a-n. I am the fire chief for the Muskegon Heights Fire  
15           Department in Muskegon, Michigan. I am also a member of  
16           many of the boards that are represented, both state and  
17           nationally, including being an executive board member of the  
18           Michigan Fire Service Instructors Association. I want to  
19           first start out by thanking the committee that helped  
20           develop the rules. I believe that the committee that was  
21           formed with Fire Service members, the rules created,  
22           represent the needs of the Fire Service.

23                      One of the rules, in particular, that catch my  
24           attention is the need for continuing the education training.  
25           It equivocates (sic) to approximately -- or basically one

1 hour a month, which is a -- not a significant amount of  
2 time, and we should consider that when thinking whether the  
3 need for continuing education training is necessary.

4 The other rule that there seems to be some  
5 controversy is about the memo related to Pro Board. One of  
6 the things with the memo related to Pro Board, the Fire  
7 Marshal has done an excellent job on, is allowing for  
8 that -- the training council curriculum and material to be  
9 utilized as the Pro Board test.

10 This provides equity among the different  
11 communities in obtaining that Pro Board certification,  
12 allowing opportunity for those who may be in areas that do  
13 not have a Pro Board testing center nearby to obtain that  
14 and use that certification to advance their life and family,  
15 maybe even move out of the state with that certification. I  
16 worked in an intercity community where there is not a nearby  
17 Pro Board testing site. That may create obstacles for  
18 intercity individuals to obtain that Pro Board  
19 certification. This also applies to rural areas. This  
20 allows for people to be in one test, pay one fee, and obtain  
21 that certification through Pro Board that they can further  
22 enhance their career in life. Thank you.

23 MS. SEARLES: Jesse Marcotte.

24 JESSE MARCOTTE

25 MR. MARCOTTE: Hello. Jesse Marcotte, J-e-s-s-e,

1 M-a-r-c-o-t-t-e. Am I okay to proceed?

2 MS. SEARLES: Yes; yes.

3 MR. MARCOTTE: I rise today in support of the  
4 proposed changes to the Fire Fighters Training Council rule  
5 set. I am not here to represent a single organization or  
6 interest, rather, the best interest of the Fire Service, as  
7 well as the citizens that we serve. I have been fortunate  
8 to see the Fire Service through many different lenses over  
9 the last 23 years. I have served as a fire cadet,  
10 paid-on-call firefighter, career firefighter, and for the  
11 last ten years, a full-time training coordinator. During  
12 this time, I've had the opportunity and privilege to work  
13 with firefighters on a local, regional, state, and national  
14 level. I also understand the needs of a municipality. I  
15 have served as a member of city council for the last five  
16 years, and currently serve as mayor pro tem.

17 Training and education are cornerstones of  
18 community risk reduction. Firefighting is an ultra  
19 hazardous, unavoidably dangerous occupation. Today's Fire  
20 Service responds to a multitude of incidents, including  
21 structure fires, water and ice rescues, motor vehicle  
22 accidents, and EMS calls. The hazards we face continue to  
23 evolve, which is why line-of-duty death rates are higher  
24 than they were in the 1970's, despite the fact that there  
25 are less fires, better equipment, and improved personal

1 protection equipment.

2 Modern construction, synthetic materials in  
3 rapidly changing fire conditions have resulted in less time,  
4 both through the Fire Service and civilians alike, to escape  
5 a perilous situation. In 2020 alone, our state experienced  
6 122 fire deaths. Tragically, we have lost over 350  
7 civilians to fires in just the last three years. The fact  
8 that there is currently no annual requirement to maintain  
9 our initial certification is frankly unacceptable. Someone  
10 who received their initial certification 30 years ago does  
11 not have to attend a single hour of training or even belong  
12 to a fire department to maintain their certification.

13 This would not be tolerated in any other industry;  
14 not in law enforcement, not in EMS, not in nursing, and not  
15 in teaching, just to name a few. We have not set the bar  
16 high enough. Our annual training requirements are vague,  
17 ambiguous, and completely open to interpretation. We have a  
18 responsibility to hold our industry to a higher standard.  
19 We owe it to ourselves, our peers, and our communities.

20 This proposed rule set provides every fire  
21 department in our state with a roadmap of basic expectations  
22 related to training and education that is desperately needed  
23 to build a foundation of consistency. This is not a high  
24 standard, to clarify; it is a minimum standard. ISO, as an  
25 example, recommends over 200 hours of annual training per

1 member to receive full credit.

2 This rule set establishes a minimum of 12 hours of  
3 annual training. That evolution of technology has increased  
4 the reach of educators in the Fire Service. Traditional  
5 barriers to accessing instructors and educational materials  
6 no longer exist. Urban and suburban and rural fire  
7 departments are able to share lessons from every corner of  
8 our state's borders by leveraging technology and other  
9 resources.

10 MS. KEOWN: Mr. Marcotte, your three minutes are  
11 up.

12 MR. MARCOTTE: Being safe begins with being smart,  
13 and our --

14 MS. SEARLES: Nicholas Vaught.

15 NICHOLAS VAUGHT

16 MR. VAUGHT: Hello. Nicholas Vaught,  
17 N-i-c-h-o-l-a-s, V-a-u-g-h-t. I reside in Chippewa County  
18 in the UP of Michigan, eastern Upper Peninsula, captain with  
19 the Sault Ste. Marie Fire Department. Thank you all  
20 community members for the work you put into this. I just  
21 want to say that I support the rules right now. I think  
22 it's a very good step in the right direction, and that  
23 training is the foundation for safety. Thank you.

24 MS. SEARLES: K. Edmond.

25 KEVIN EDMOND

1 MR. EDMOND: Hi. Kevin Edmond from Sterling  
2 Height Fire Department, fire chief; that's K-e-v-i-n,  
3 E-d-m-o-n-d. As a chief officer working in three different  
4 states, I think it's of utmost importance to pass this  
5 legislation to establish the continuing education. I am  
6 fully aware of all the different levels of training and  
7 education, and fully support this passage. Thank you.

8 MS. SEARLES: Eric Thomas.

9 ERIC THOMAS

10 MR. THOMAS: Good afternoon -- well, yeah, it's  
11 still morning. Good morning, all. Eric Thomas, E-r-i-c,  
12 T-h-o-m-a-s. I am representing -- I'm with the Detroit  
13 Metro Airport Firefighters, Local 731. I am -- sorry; kids.  
14 I am also in full support of the rules change. I think that  
15 we should move forward. As being also a trained coordinator  
16 for the State of Michigan, and also actively teaching in the  
17 college, I think that this is very important.

18 I know that in the Fire Service, we always have  
19 been inhibited, and also hard to swallow change, as brought  
20 up earlier, and also advancement in our careers. One thing  
21 important about a career is that there is always things  
22 moving forward and that we should have continuing education  
23 as far as doing our jobs, especially with the  
24 ultra-hazardous things that we have to do. In that point  
25 being, seeing that how the Fire Service is moving along in a

1 rapid way, as far as new technology and new things, it is  
2 very important that we have an education that will --  
3 continuing education, as far as training our firefighters  
4 currently, older and newer ones, so that they can stay up to  
5 date; one, so that we can be safe.

6 Yes, NFPA does state minimum standards for us, but  
7 we could always have those minimum standards and exceed  
8 those standards, too, to better our firefighters so we don't  
9 have a lot of line-of-duty deaths. With that being said, I  
10 think that we should move forward and continue on with  
11 this vote, and I am in full support of it.

12 MS. SEARLES: Heim.

13 MR. HEIM: Hello?

14 MS. SEARLES: Yeah.

15 MR. HEIM: Can you hear me?

16 MS. SEARLES: Yes.

17 STEVE HEIM

18 MR. HEIM: Hi. So it's Steve Heim, H-e-i-m, is my  
19 last name. Thank you for having me, and thank you for the  
20 committee for all the hard work that you've put in. Like I  
21 said, I'm Steven Heim. I'm a firefighter for the City of  
22 Lincoln Park. I'm a lieutenant. I've been in the Fire  
23 Service going on 30 years. I serve in various affiliations  
24 throughout the state, including as a district vice president  
25 for the Michigan Professional Fire Fighters Union

1 representing Wayne, Monroe, and Washtenaw County and the  
2 1100 firefighters there. I chair the Michigan Professional  
3 Fire Fighters Union health and safety committee. I rise in  
4 support of the rules as proposed.

5 I believe the rules establish a floor for  
6 training, that they are not excessive, that they are just a  
7 minimum standard, and that those competencies will meet the  
8 requirements of MIOSHA as it currently stands for all  
9 employees in the state, irregardless of affiliation, whether  
10 you're full time, or paid, or volunteer. Those standards  
11 are the same, the concerns are the same, the risks are there  
12 for all of us. The standard is written in a way that I  
13 think recognizes a fair standard that could be applied  
14 across the entire state.

15 I believe it's reasonable that the compromises  
16 that have been made have been done with the best intentions  
17 for the Fire Service, and that these rules are going to  
18 provide a safe environment for all of us. I think the top  
19 priority in the state needs to be making sure that the  
20 firefighters are trained to a level that they are capable of  
21 surviving and living a long life in the safest manner  
22 possible. For recruitment and retention, the priority  
23 should be that they are able to work and do this in a  
24 successful way, and go home to their families, and be able  
25 to flourish. This -- the rules and the standards have to be

1 applied in a way that will make that possible. It is a  
2 little bit of a challenge for some folks, but the 12 hours a  
3 year is a minimum and something can clearly be done and  
4 needs to be done in a way that manage the risks that are  
5 associated with this job. It has to be done in a way that's  
6 safe for everyone so that we can all go home.

7 Like I said, I rise in support of the rules as  
8 proposed, and I think you for you time.

9 MS. SEARLES: Chris Krotche.

10 MR. KROTCHÉ: Good?

11 MS. SEARLES: Yeah.

12 CHRIS KROTCHÉ

13 MR. KROTCHÉ: Hi. My name is Chris Krotche,  
14 C-h-r-i-s, K-r-o-t-c-h-e. I am a retired battalion chief  
15 with 33 years of service, and I am currently the fire chief  
16 of Armada Township. I am speaking on my own behalf, and I  
17 rise in support of all the changes, and I would also like to  
18 thank the committee members.

19 I have the unique situation that I worked on both  
20 sides of the fire department, both in a career department  
21 and in a combination department, and I can undoubtedly say  
22 that I believe this training is important. It is the  
23 minimum. With a combination department, we have a low  
24 volume of calls, low frequency, so that's why we believe  
25 this is imperative, this minimum training is required.

1           We -- at our department, we (inaudible) because we do see  
2           the value of it.

3                     I also believe that when it comes to the fire  
4           chiefs that we should have a level of training with leading  
5           such a department. I rise in support. I thank you for your  
6           time, and that's all. Thank you.

7                     MS. SEARLES: Muskegon fire instructors.

8                                 MARK CLEVELAND

9                     MR. CLEVELAND: Mark Cleveland, M-a-r-k,  
10          C-l-e-v-e-l-a-n-d. I am here today representing Egelston  
11          Township, the Muskegon Area fire chief, and the Michigan  
12          Association of Fire Chiefs. The set rule 29.404, number 5,  
13          is the belief of many that this should be deleted in its  
14          entirety. An MOU does not belong within the rules, nor the  
15          law. It should live outside of that. As such, we believe  
16          that should be replaced with,

17                     "The Bureau shall recognize and offer reciprocity  
18                     to any individual holding or obtaining a certification  
19                     from a nationally recognized, accredited organization  
20                     that meets the NFPA standard at the time of issue."

21                     Replacing the overcomplicated and inefficient MOU  
22          system with what is -- what I just described would resolve  
23          the issue, and if an MOU is necessary, it should live  
24          outside the law and rules.

25                     We are further concerned that the require on

1       certain level a certification -- for example, fire chief or  
2       fire officer -- is overreaching of the law. There is not  
3       any place within Public Act 291 that mandates certification  
4       levels except for Firefighter I and Firefighter II.  
5       Firefighter I is required for paid-on-call or volunteer  
6       firefighters, and Firefighter II is required for all career  
7       firefighters. This also identifies the difference that many  
8       have said there is no difference within the state, and there  
9       shouldn't be, but within the rules and the law, we have  
10      already identified a difference in training standards based  
11      on full time or paid-on-call volunteer. Rule 29.418 states,

12                "An individual who is a firefighter of a  
13                recognized fire department or public safety department,  
14                who currently holds council certification, regardless  
15                of his or her rank, responsibilities, or  
16                certifications, shall obtain" -- 12 hours of continuing  
17                education.

18      We are proposing that this state "continuing education  
19      annually, in an amount certified as sufficient to meet  
20      MIOSHA."

21                In Public Act 291, we're required to meet MIOSHA  
22      general industry standards. They do call for minimum -- or  
23      continuing education specific to and commensurate to the  
24      duties they are expected to perform. This, in fact, could  
25      set a department up for failure if they think 12 hours is

1       the minimum number of hours that they need to do to be  
2       compliant. If an incident or an investigation were to  
3       occur, the department could state, "We met -- we met the  
4       annual hours set forth by the MFFTC," but MIOSHA determines  
5       that to be inadequate. Now you've set up two different  
6       regulatory standards by two different agencies. This  
7       measurement tool is arbitrary and inappropriate, and  
8       specific hours on recommended training without a source for  
9       justification --

10               MS. KEOWN: Mr. Cleveland, your three minutes are  
11       up.

12               MR. CLEVELAND: Thank you.

13               MS. SEARLES: Jim Daveluy.

14                               JIM DAVELUY

15               MR. DAVELUY: Jim Daveluy, J-i-m, D-a-v-e-l-u-y.  
16       I live in Midland County. I'm a City of Midland  
17       firefighter, and I want to say I support these changes.  
18       When I came back to Michigan from Tennessee in 2014, I had  
19       to apply for my paramedic license back. I had to show that  
20       I had been working as a paramedic and completed continued  
21       education as a paramedic, but my fire certs were good  
22       regardless of whether I had been on a fire truck, touched a  
23       hose, or swung an axe.

24               It's time for us to have continuing education in  
25       the Fire Service. It's a dangerous occupation, and fires

1 don't care if you're a volunteer or a career. So I rise in  
2 support. Thank you for your time.

3 MS. SEARLES: Shawn Allen.

4 SHAWN ALLEN

5 MR. ALLEN: Good Morning, everyone. Shawn Allen,  
6 S-h-a-w-n, A-l-l-e-n. I'm a fire marshal for the City of  
7 Sterling Heights. Presently, I hold certificates as a  
8 Firefighter I and II; I'm a fire inspector, a fire  
9 investigator, fire instructor. I'm with the technical  
10 rescue team for the City of Sterling Heights, the County and  
11 Michigan Task Force 1. I'm also a HAZMAT technician.

12 So for myself, I would be required to have quite a  
13 bit of continuing education. I am speaking in support of  
14 the requirements on the Public Act 291. I believe all the  
15 requirements as written are obtainable, they are reasonable,  
16 the act should be adopted and moved forward. Thank you.

17 MS. SEARLES: Kevin Retzloff.

18 KEVIN RETZLOFF

19 MR. RETZLOFF: Hi. Kevin Retzloff, K-e-v-i-n,  
20 R-e-t-z-l-o-f-f. I am with the Midland Fire Department.  
21 I'm here on my own to just to speak of my support for the  
22 rule changes as they are proposed. Thank you.

23 MS. SEARLES: Mike Vogt.

24 MIKE VOGT

25 MR. VOGT: Sorry about that. I had to un-mute.

1 Mike Vogt, M-i-k-e, last name is, V-o-g-t. I'm the  
2 assistant fire chief and fire marshal for the City of Burton  
3 Fire Department. I'm here representing myself as a fire  
4 service professional --

5 MS. SEARLES: Oh, Mike, you're back on -- you're  
6 on mute, Mike.

7 MR. VOGT: All right. Sorry about that. The  
8 proposed rules, I am in full favor of the letter that was  
9 sent out by the Michigan Association of Fire Chiefs with the  
10 proposed recommended changes to the rules that  
11 were (inaudible) more my concern with continuing education  
12 isn't so much of the education amount, it's the enforcement  
13 of that. I just see that a firefighter not meeting this  
14 obligation, the enforcement powers of the state is going to  
15 fall back on the local municipality, and I just see that  
16 causing a significant hardship, again, not on the actual  
17 firefighter but on the municipality itself. Thank you.

18 MS. SEARLES: Liam Karroll. You're on mute, Liam.

19 MR. KARROLL: Thank you. Can you hear me now?

20 MS. SEARLES: Yes.

21 LIAM KARROLL

22 MR. KARROLL: Thank you. Liam Karroll, L-i-a-m,  
23 K-a-r-r-o-l-l. I rise in full support of the rules as  
24 presented. I am a retired Michigan fire chief, an  
25 instructor-at-large, a program coordinator at a

1 college-based regional training center in the State of  
2 Michigan, and an adjunct professor.

3 I believe that allowing people to have a  
4 certificate to prove their ability goes well beyond just the  
5 piece of paper. Possession of a certificate is not enough.  
6 Education is a totality of experiences. As we expect our  
7 doctors and our lawyers to have the same totality of  
8 experience, we should expect our firefighters to have the  
9 same. It's not just a matter of taking a test or  
10 challenging an exam. NFPA JPR documentation needs to occur.  
11 One of the sidebars to this is that in the educational  
12 arena, to offer credit hours towards a degree based upon  
13 prior life experiences or the certificates that we hold  
14 requires that they have that totality of education. It's  
15 not just a certificate. The Higher Learning Commission,  
16 which regulates colleges, requires it.

17 To not have a full course behind the student that  
18 you're giving credit hours and simply having an examination  
19 could put the regional -- college-based regional training  
20 centers in harms way with the Higher Learning Commission.  
21 The accreditation agencies that are out there I believe will  
22 also stand against the idea of challenging for  
23 certification, wanting you to take full course work. I  
24 believe that having the ability to challenge or just simply  
25 having a certificate for our needs will also put us in a

1       difficult spot for reciprocity from state to state; not  
2       agency to agency, but state to state.

3               For instance, the State of Ohio requires that we  
4       specify for reciprocity the number of medics that are tied  
5       to each NFPA and JPR. A certificate does not prove that,  
6       regardless what other agencies may believe. I fear that  
7       certification mills will occur. I can vouch for the fact  
8       that many people can teach to certification level, and teach  
9       the necessary needs for the examination. That does not mean  
10      that you have a fully trained firefighter before you. You  
11      have somebody who is coached up to speed, and I fear  
12      those mills. Colleges and those who do testing routinely  
13      could easily become those mills. That it pays to pass  
14      certification process for reciprocity does not hold merit.

15             I believe that continued education as it's  
16      presented is a floor, not a ceiling. We should look to  
17      improve upon that. I fully support continuing education.  
18      The industry changes rapidly. This will require that we  
19      stay abreast and will give the mechanism to do so.

20             MS. KEOWN: Mr. Karroll, your three minutes is up.

21             MR. KARROLL: Thank you for your time.

22             MS. SEARLES: John Polzin.

23             MR. POLZIN: Hello?

24             MS. SEARLES: Yes. If you would state your name  
25      and spell it, please, and if you're representing an

1 organization.

2 JOHN POLZIN

3 MR. POLZIN: Yes. My name is John Polzin,  
4 J-o-h-n, P-o-l-z-i-n. I'm with the City of Midland Fire  
5 Department, and I would just like to state that I am in full  
6 support of the changes as written. Thank you very much.

7 MS. SEARLES: Thank you. Chris Lince.

8 CHRIS LINCE

9 MR. LINCE: Chris Lince, C-h-r-i-s, L-i-n-c-e,  
10 lieutenant with the City of Midland Fire Department, here on  
11 my own behalf. I've been in the Fire Service for 30 years,  
12 and it's time that we move ahead. These requirements are  
13 minimums and well within obtainable reach. I fully support  
14 these rules. Thank you.

15 MS. SEARLES: Thank you. We will go to the phone  
16 lines now. I'll read the last four digits, and then I'll  
17 ask you if you have any comments or not. 0075.

18 UNKNOWN 0075: No comment.

19 MS. SEARLES: Who am I -- who is speaking?

20 (No verbal response)

21 MS. SEARLES: 9162.

22 MR. BOURGEOIS: Hello?

23 MS. SEARLES: Yes.

24 DOUG BOURGEOIS

25 MR. BOURGEOIS: Hi. Doug Bourgeois, Beaver Creek

1 Fire Department. I would like to say I'm not full  
2 support --

3 MS. SEARLES: And could you spell your name,  
4 please? Could you spell your name please? Thank you.

5 MR. BOURGEOIS: Yes. Doug, D-o-u-g, last name,  
6 Bourgeois, B-, as in boy, o-u-r-g-e-o-i-s. I am in support  
7 of the rules as changed, although many people brought some  
8 great points, and probably need to be looked at maybe in the  
9 future, but moving forward, I believe it would be awesome  
10 for the Fire Service. Thank you very much. Everyone stay  
11 safe out there.

12 MS. SEARLES: 9162, if you would un-mute.

13 (No verbal response)

14 MS. SEARLES: Okay. I'll go to the next one.  
15 0286, if you would un-mute.

16 MR. SCOTT: Yes. Can you hear --

17 MS. SEARLES: Yes. Give us your name, and  
18 organization you're representing, and spelling your name.

19 ROB SCOTT

20 MR. SCOTT: Yes. Rob, R-o-b, Scott, S-c-o-t-t.  
21 I'm out of Wayne County, Michigan Professional Firefighters  
22 for the last 22 years, currently a firefighter in the City  
23 of Southfield. I rise in support of these rule changes, and  
24 we do a job that could possibly killed us. It has killed  
25 several firefighters.

1                   My wife is a school teacher of 19 years. She has  
2                   to do continuing education every year. Also, we have to do  
3                   continuing education with our medical licenses, either for  
4                   your basic EMT or paramedic. Nurses have to do continuing  
5                   education. This is long overdue and needs to be passed.  
6                   Thank you for your time.

7                   MS. SEARLES: Thank you. 2701; 2701.

8                   (No verbal response)

9                   MS. SEARLES: 0286, if you would un-mute.

10                  (No verbal response)

11                  MS. SEARLES: 3213, if you would un-mute.

12                  (No verbal response)

13                  MS. SEARLES: 5333, if you would un-mute.

14                  (No verbal response)

15                  MS. SEARLES: 3213, did you have something to say?

16                  MR. STEEBY: No comment.

17                  MS. SEARLES: All right. Could you give your  
18                  name?

19                                 ANDY STEEBY

20                  MR. STEEBY: Andy, A-n-d-y, Steeby,  
21                  S-t-e-e-b-, as in boy, y; Wayne County Community College  
22                  District, ROTC course manager.

23                  MS. SEARLES: Thank you. 7028.

24                  (No verbal response)

25                  MS. SEARLES: It looks like we have some others

1           that have raised their hand. How about Sean Canto?

2                               SEAN CANTO

3                       MR. CANTO: Hi, good afternoon. My name is Sean  
4           Canto. I'm the fire chief for the City of Rochester Hills.  
5           I've been in the Fire Service for --

6                       MS. SEARLES: Sean, could you spell your name,  
7           please?

8                       MR. CANTO: S-e-a-n, C-a-n-t-o. I've been in the  
9           Fire Service for 30 years, seven of my last years of service  
10          have been here in the State of Michigan. The importance of  
11          training cannot be overstated in the world of emergency  
12          services. We're like safetys-at-risk. Competence of  
13          responders should be paramount. When the citizens of our  
14          community call for help, they expect and deserve the very  
15          best from us when we respond, be it a career, volunteer or  
16          paid-on-call organization. Quality training programs are  
17          one of the highest priorities, and as fire service  
18          organizations, look to ensure that members are prepared for  
19          the daily challenges and demands of the job. As the  
20          expectations and demands for the fire service profession to  
21          continue to evolve, the expectation of future fire service  
22          leaders must be to adapt to meet these new challenges.

23                       Implementing a credible, professional development  
24           framework, which these rules do, encourages and shapes  
25           knowledgeable, well-rounded, and experienced fire service

1 members. In fact, it should help to form the very  
2 foundation of a positive fire service organizational  
3 culture. The Michigan Fire Service needs to transform from  
4 a trade to a profession. A fire service leadership must set  
5 policies, procedures, and standards that include language  
6 supporting the portability of our training and education for  
7 the benefits of next generation firefighters.

8 As for continuing education -- degradation is a  
9 real concern in our profession. Just because you were  
10 certified ten years ago does not mean you are still  
11 competent in doing the job today. This question has become  
12 important in states such as Michigan that currently do not  
13 require re-certification or continuing education.  
14 Unfortunately, the Michigan Fire Service has lagged behind  
15 in meeting national standards. Most of us focus on the  
16 present and don't ask "what if" type of questions for the  
17 future, and that's why the Michigan Fire Service has lagged  
18 behind. We need to move forward with the approval of these  
19 rules to put the Michigan Fire Service on equal footing with  
20 the remaining of the American Fire Service. There is a  
21 beloved phrase in the fire service: "200 years of tradition  
22 unimpeded by progress." I think the majority of the  
23 Michigan Fire Service has recognized it's time to bring us  
24 into the 21st Century. Thank you.

25 MS. SEARLES: Joe Grutza.

1 JOE GRUTZA

2 MR. GRUTZA: Hello. My name is Joe Grutza,  
3 spelled, J-o-e, G-r-u-t-z-a. I am a retired fire fighter  
4 from Fenton. I stand in support of the rules as written.  
5 Also, I want to thank all the members of the Michigan Fire  
6 Fighters Training Council, the state fire marshal, and all  
7 the fire service that attended these meetings. I know, from  
8 the past, the amount of work that was put in, and I'm really  
9 impressed with the results here.

10 Again, I stand in support of the rules as written.  
11 I think we need to all come together and make sure that we  
12 can help every member of the Fire Service in our state meet  
13 these requirements as written. Thank you.

14 MS. SEARLES: C. Pichan.

15 MR. PICHAN: Hello, ma'am. Am I coming through?

16 MS. SEARLES: Yes.

17 CHARLES PICHAN

18 MR. PICHAN: Captain Charles Pichan of the Detroit  
19 Fire Department Regional Training Center, C-h-a-r-l-e-s,  
20 P-i-c-h-a-n. Although no document can be perfectly written,  
21 this is definitely a step in the right direction, and I am  
22 in full support of moving forward. Thank you for your time  
23 and efforts.

24 MS. SEARLES: Thank you. Mike Harper.

25 MIKE HARPER

1 MR. HARPER: Hello. I am Mike Harper, M-i-k-e,  
2 H-a-r-p-e-r, long time instructor and adjunct professor, and  
3 training over throughout the state for the last 30 years  
4 plus. I'm in support of the 291 rules, as proposed. This  
5 will bring the safety of the firefighters up to date through  
6 training and certification.

7 As it was said earlier, no matter where you work  
8 throughout the state, the emergency and the fire you will be  
9 responding to will not know where you come from; if it's  
10 career, part time, on-call, or volunteer. But with  
11 up-to-date training and continuing education in the change  
12 of fire behavior, building instruction and many, many others  
13 dealing with tactics and strategy will help you be safe as  
14 possible on the fire ground. So with this, I am in support  
15 of the rules as proposed. I thank you for everybody that  
16 helped out with these rules. Thank you.

17 MS. SEARLES: R. Bebeau.

18 ROGER BEBEAU

19 MR. BEBEAU: Hi. Roger Bebeau, R-o-g-e-r,  
20 B-e-b-e-a-u. I'm here representing myself, a firefighter in  
21 the City of Midland. I have had the privilege of being a  
22 volunteer firefighter for ten years, and a full-paid  
23 firefighter for 20. I think these are changes that we need,  
24 and I rise in support of it as written.

25 MS. SEARLES: Thank you. Nick Gettel.

1                                   NICHOLAS GETTEL

2                                   MR. GETTEL: Hello. Nicholas Gettel,  
3                   N-i-c-h-o-l-a-s, G-e-t-t-e-l. I rise in full support of  
4                   this, and I believe it's time to keep our fire departments  
5                   moving forward, and I am a member of the Midland  
6                   Professional Firefighters. Thank you.

7                                   MS. SEARLES: Josh Gray.

8                                   JOSH GRAY

9                                   MR. GRAY: Hello. Josh Gray, J-o-s-h, G-r-a-y,  
10                  and I would like to say that I come from Detroit Metro  
11                  Airport Fire Department, and I am speaking for my own views.  
12                  I am rising in support of the new rules as written. As a  
13                  firefighter who is maybe not much of 30-plus years  
14                  experience, but just under a decade of experience, and have  
15                  worked for both, you know, paid-on-call, volunteer, and  
16                  career departments.

17                                I believe that training is the epitome of what  
18                                will progress us forward, and I think in order for us to  
19                                stay competitive as a state, we need to progress our  
20                                training forward and hold ourselves to a higher standard to  
21                                make us the goal instead of falling behind the rest of the  
22                                country. I yield the rest of my time. Thank you.

23                                MS. SEARLES: Thank you. Chris Coughlin, if you  
24                                would un-mute.

25                                MR. COUGHLIN: Okay. Can you hear me now?

1 MS. SEARLES: Yes.

2 CHRIS COUGHLIN

3 MR. COUGHLIN: Okay. Chris Coughlin, C-h-r-i-s,  
4 C-o-u-g-h-l-i-n. I am the chief of the City of Midland Fire  
5 Department, and I was a representative of the Michigan  
6 Association of Fire Chiefs during the drafting of the  
7 changes to Public Act 291. One of the things that we took  
8 into consideration during that drafting was the MIOSHA Part  
9 74 requirements, that firefighters be trained commensurate  
10 with the duties they are expected to perform.

11 I think that we may have an issue here in that  
12 requiring continuing ed and specific hours of continuing  
13 ed for firefighters in different locations is not  
14 necessarily going to be accepted by MIOSHA. We have nothing  
15 to indicate that MIOSHA would accept any of these  
16 requirements that are in -- in this rule set, and I think  
17 that should be a concern. I think it should go back and  
18 probably be looked at a little closer, and I think a  
19 conversation needs to occur between rule makers and MIOSHA  
20 before we get into this any deeper than we currently are.

21 The other thing I would like to touch on is, the  
22 intent was to make it easier for volunteer firefighters,  
23 career firefighters, on-call firefighters to have  
24 reciprocity in the State of Michigan. I think, if anything,  
25 we've kind of muddied the waters on that. We were looking

1           for a mechanism to recognize NFPA-based education  
2           universally, and what we're seeing is an MOU for every  
3           class, and that was not the intent, and I disagree with this  
4           wholeheartedly. I think we're on the right track, but I  
5           think we've -- we need to go back and revisit this. And  
6           that's my peace. Thank you.

7                       MS. SEARLES: Justin Holmes. We can't hear you,  
8           Justin. Justin, do you want to try again?

9                               (No verbal response)

10                      MS. SEARLES: Okay. Well, if we don't have  
11           anybody else that wishes to speak at this time, we'll take a  
12           ten-minute recess. But I also want to remind you, if you  
13           are on the video, if you want to participate, you click on  
14           the "participant" down at the bottom, and then a screen will  
15           come up, and you will chose the option to "raise your hand."  
16           So we will be back at 12:19.

17                               (Off the record)

18                      MS. SEARLES: We both had an issue with using the  
19           "raise the hand" function. So if you want to talk, you can  
20           turn on your camera and raise your hand, and I'll go down  
21           the list, and call on you. I am not seeing any -- oh, here  
22           we've got one. Brother Love.

23                      MR. LOVE: Hello?

24                      MS. SEARLES: If you would state your name, and  
25           spell your name, and what organization you're representing?

1 CHRISTOPHER LOVE

2 MR. LOVE: Hello. My name is Christopher Love. I  
3 work with the Battle Creek Fire Department. I'm a captain,  
4 and I've been on the department, it will be 29 years in May.  
5 And I am just speaking in support of the rule -- proposed  
6 rule changes.

7 I feel it's very important in our line of work  
8 that we have updating of training and that training is a  
9 very key component of this, and it's, you know, not  
10 unreasonable at all for us to expect to have continuing ed  
11 credits just like, you know, we do for medical or any other  
12 profession that has new information and data coming in. So  
13 I rise in support of this. I live in Calhoun County in  
14 Battle Creek, Michigan.

15 MS. SEARLES: Could I have you spell your name  
16 also, please?

17 MR. LOVE: Yes, C-h-r-i-s-t-o-p-h-e-r, L-o-v-e.

18 MS. SEARLES: Thank you.

19 MR. LOVE: Thank you.

20 MS. SEARLES: Anthony Watts.

21 ANTHONY WATTS

22 MR. WATTS: Good afternoon. My name is, Anthony  
23 Watts, A-n-t-h-o-n-y, W-a-t-t-s. I'm a lieutenant with the  
24 Detroit Fire Department Training Division, and I speak in  
25 support of this document. Thank you.

1 MS. SEARLES: Thank you. Courtland Chief.

2 STEVE MOJZUK

3 MR. MOJZUK: Yes. Steve Mojzuk, S-t-e-v-e,  
4 M-o-j-z-u-k, Courtland Township fire chief, and I am  
5 speaking on my own behalf. And I approve of the new rule  
6 change. I would like to see more volunteer, smaller  
7 departments on here speaking their mind, but since they're  
8 not here, I -- I do support the training -- the continuing  
9 ed training as -- as it's written, because I think we do  
10 need it. I just wish more small departments would speak out  
11 about it. And that's all I've got to say. Thank you.

12 MS. SEARLES: Thank you. Jeff Frieden- --  
13 Friedenstab.

14 JEFF FRIEDENSTAB

15 MR. FRIEDENSTAB: Yes, my name is Jeff  
16 Friedenstab; it's, J-e-f-f, F-r-i-e-d-e-n-s-t-a-b. I'm with  
17 the Iron Mountain Fire Department, Dickinson County, up here  
18 in the Upper Peninsula. I am for moving forward with these,  
19 but I also would like the reciprocity area to be looked at  
20 again. Thank you for your time.

21 MS. SEARLES: Lieutenant Jamal Mickles.

22 JAMAL MICKLES

23 MR. MICKLES: Good afternoon. Lieutenant Jamal  
24 Mickles with the Detroit Fire Department Training Division.  
25 And I --

1 MS. SEARLES: Could you spell your name, please?

2 MR. MICKLES: J-a-m-a-l, last name, M-i-c-k-l-e-s.

3 As a highly involved instructor with the State of Michigan,  
4 I speak in support of this document. It is a flawed  
5 document, and I'm looking forward to being made aware and  
6 being involved in the process of adapting some of the  
7 changes to some of the concerns that have been presented  
8 today. However, I do believe it's time to -- for Michigan  
9 to come into the 21st Century in the fire service, and this  
10 will bring us out of the 60's, and start to move more toward  
11 the future of the fire service as we become truly the  
12 profession that we should be. Thank you.

13 MS. SEARLES: Jeffrey Forbes.

14 JEFFREY FORBES

15 MR. FORBES: Good afternoon. My name is Jeffrey  
16 Forbes, that is, J-e-f-f-r-e-y, Forbes, F-o-r-b-e-s. I am a  
17 EMS captain with the Detroit Fire Department Training  
18 Center. I speak in support of this document. We, as a  
19 whole and as a state, need to continue to move the fire  
20 service to the future, and keep moving us forward as a  
21 professional -- as working in a professional atmosphere, we  
22 need to keep moving us forward and keep all of our training  
23 at top notch, similar to what they have done with EMS over  
24 the years. Again, I do speak in support of this document.

25 MS. SEARLES: Robert Massey.

1 ROBERT MASSEY

2 MR. MASSEY: Good morning. My name is Robert  
3 Massey, R-o-b-e-r-t, M-a-s-s-e-y. And I am in full -- I'm a  
4 lieutenant at the Detroit Regional Training Center, and I am  
5 in full support about this document.

6 MS. SEARLES: Is there anybody else that would  
7 like to speak? If you would turn your camera on, and raise  
8 your hand if you're having an issue. Captain -- Captain  
9 Seal, North Oakland County Fire.

10 TIMOTHY SEAL

11 MR. SEAL: Good afternoon, everybody. Captain  
12 Timothy Seal, T-i-m-o-t-h-y, S-e-a-l. I am speaking on my  
13 own behalf. At this point, I'm not going to rise for or  
14 against the document on the list here. I do have some  
15 concerns and may be offering experience. While I do believe  
16 as a training officer in my department and having had the  
17 privilege of serving both as a full-time MPFFU and IAFF  
18 firefighter and as a union president at one time, and now as  
19 a full-time captain and recruitment and retraining officer  
20 in a paid on-call environment, I agree that training is of  
21 vital importance.

22 And I understand that theory -- well -- however,  
23 what I am finding in a paid-on-call environment, is as we  
24 continue to increase the training requirement with paid-on-  
25 call individuals, our recruitment and retention is already

1       somewhat destroyed and is getting further hampered by  
2       increasing training requirements. I agree that it is  
3       needed. I don't know what the correct vehicle for  
4       enforcement is and how some smaller departments can fund the  
5       required training. People are busy as it is, as we know,  
6       with everything going on. I wish I had the answer, but I  
7       don't. But I know it does affect the recruitment and  
8       retention.

9               I know that there is talk about this potentially  
10       being a State oversight with a unfunded mandate. We're all  
11       aware of how that works with smaller budgets. I do believe,  
12       overall, we are on track. It is a good document. I don't  
13       know that those concerns are worth squashing the whole  
14       document, and I also commend the individuals who have all  
15       done the rule changes, because I know they spent countless  
16       hours in changing those rules.

17              I do think that we could brush up the reciprocity  
18       a little bit. The State had been all over the place for  
19       years, as to what training was and wasn't accepted, and I  
20       think if they've got and met the requirements, they should  
21       receive the reciprocity, whether they were through RAFT or  
22       another professional organization, without too much  
23       leg-work. I think everybody should credit their time in  
24       training.

25              That is all. I yield the rest of my time. I hope

1           everybody stays safe and have a good afternoon.

2                       MS. SEARLES: Robert Seal -- or Smith. Excuse me.  
3           Robert Smith.

4                               ROBERT SMITH

5                       MR. SMITH: Yes, thank you. Robert Smith,  
6           R-o-b-e-r-t, S-m-i-t-h. I am the fire chief in the Dexter  
7           Area Fire Department with over 40 years in the Fire Service.  
8           I speak in opposition to this document as written. I  
9           believe in general is it a good document or a good  
10          philosophy. But my concern, I agree with my colleagues  
11          regarding reciprocity and continuing education. But the  
12          document itself, I find several issues, is first, all of  
13          these certifications in this document require membership in  
14          a fire department, when in fact, you can get NFPA  
15          certification or other certifications without being a member  
16          of a fire department in the state of Michigan. And this  
17          continues in to the disciplinary process, which is unclear,  
18          as to whether that applies simply to instructors or across  
19          the board for various certifications. In one area, the  
20          council can strip an individual of their certifications for  
21          the State of Michigan, but that doesn't necessarily strip  
22          them of their NFPA certification or Pro Board certification,  
23          so do we get in a round-robin of stripping of certification  
24          in the State of Michigan only to reapply through  
25          reciprocity. I see some concerns there with the way the

1 document is written and laid out. And I thank you for  
2 allowing me to speak today.

3 MS. SEARLES: Brian Rayle.

4 BRIAN RAYLE

5 MR. RAYLE: Hi. My name is Brian Rayle,  
6 B-r-i-a-n, R-a-y-l-e. I am instructor with Detroit Fire  
7 Department Regional Training Center. I do have experience  
8 in the volunteer, paid-on-call, full-time sector, including  
9 steel mill firefighting. I wholeheartedly agree with all  
10 the updates, yes. Thank you for your time.

11 MS. SEARLES: Thank you. Captain Edwards.

12 JAMES EDWARDS

13 MR. EDWARDS: Good afternoon -- or good morning to  
14 everyone. My name is James Edwards, J-a-m-e-s, E-d-w-a-r-d-  
15 s. I am a captain at the Detroit Fire Regional Training  
16 Center. We are in full support of this. We recognize this  
17 as being a first step for us to raise the bar for not only  
18 training that we will be able to provide, but also training  
19 for ourselves. We always challenge our students. We always  
20 let them know that this is an evolving career choice, so we  
21 have to lead by example. So this is a very strong first  
22 step for us, and I congratulate everyone that worked on this  
23 and that will continue to improve this document.

24 MS. SEARLES: Stacy Taylor.

25 STACY TAYLOR

1 MR. TAYLOR: Hi. I'm lieutenant Stacy Taylor from  
2 the Detroit Fire Department Regional Training Center.

3 MS. SEARLES: Can you spell your name, please?

4 MR. TAYLOR: Yes, S-t-a-c-y, T-a-y-l-o-r. And I  
5 am in full support of the document. Thank you.

6 MS. SEARLES: Thank you. I'm going to check to  
7 see if anybody has their hand raised, if they would like to  
8 be called on. Also, if you are unable to speak, or would  
9 still like to send comments, that can go to: LARA,  
10 L-A-R-A, hyphen, BFS@michigan.gov. Does anyone else wish to  
11 comment on the rules? Does anybody else wish to comment on  
12 the rules at this time? Does anybody else wish to comment  
13 on the rules at this time? We have one more. Bigger.

14 MR. BIGGER: Hi. This Don Bigger. I am president  
15 of the --

16 MS. SEARLES: Don, if you could spell your name,  
17 please?

18 DONALD BIGGER

19 MR. BIGGER: Yes, Donald, D-o-n-a-l-d, Bigger,  
20 B-, as in boy, i-g-g-e-r. I am currently the president of  
21 the Michigan Fire Service Instructors Association and  
22 retired from the Plainfield Fire Department after 34 years  
23 of a combination department with full time and paid-on-call.  
24 I also have been involved with the coalition for many years,  
25 and was part of the 291 re-write. And I would like to say

1 we support the document as written. There was a lot of  
2 time; there was a lot of input. The people who have  
3 concerns now also had representatives and had input as a  
4 democratic process, and it was voted on and passed.

5 A couple -- address a couple comments that were  
6 made about the difference between full time and part time.  
7 We run an inspectors conference every year in Traverse City,  
8 and a lot of the comments that we get from paid-on-call fire  
9 departments or volunteer fire departments -- which I was  
10 glad to see many in the Upper had called, and with comments  
11 on some of the part time, like (inaudible) -- is that the  
12 departments that aren't full time have requested and made a  
13 lot of comments at the inspectors conference that we need to  
14 set a standard that everybody went by. By not having a  
15 standard that all departments are by -- they had problems  
16 getting it funded at the local departments. If it wasn't  
17 funded, then they didn't have the trainings. So they always  
18 encouraged us, at the instructors, to -- whenever we worked  
19 on the document, to make sure it was inclusive to everybody,  
20 not -- not a difference, not a difference between career and  
21 volunteers.

22 So the continuing ed part is what they talked  
23 about a lot. If it's not a requirement, that the state  
24 isn't requirement -- requiring it like they do EMS,  
25 teachers, police officers, then the locals, they don't fund

1           it, and then it's not possible.

2                       So in closing, for my years around and listening  
3           to everybody, we like the way it's written, and we support  
4           it the way it's written. Thank you.

5                       MS. SEARLES: Does anybody else wish to comment on  
6           the rules? I'll go through it again and check for any hands  
7           up. If you are unable to use the hand function, if you  
8           would turn your camera on and raise your hand. Does anyone  
9           else wish to comment on the rules? One more time, does  
10          anybody else wish to comment on the rules?

11                      If there is no further comments at this time, I  
12          hereby declare the hearing closed. The record will remain  
13          open until 5:00 p.m. today for any other comments you may  
14          wish to share about the proposed rules. Again, you can  
15          email comments to: LARA-BFS@michigan.gov, and thanks for  
16          attending.

17                      (Exhibits 1 and 2 marked)

18                      (Hearing concluded at 12:37 p.m.)

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20                                       -0-0-0-

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<p><b>A</b></p> <p><b>A-b-b-e-y</b> 12:9</p> <p><b>A-d-a-m</b> 21:24</p> <p><b>A-l-e-x</b> 19:18</p> <p><b>A-l-l-e-n</b> 37:6</p> <p><b>A-n-d-y</b> 43:20</p> <p><b>A-n-t-h-o-n-y</b> 51:23</p> <p><b>a.m</b> 1:7 5:2,16</p> <p><b>Abbey</b> 2:7 12:6,7,8 12:8</p> <p><b>abilities</b> 22:17</p> <p><b>ability</b> 14:22 39:4 39:24</p> <p><b>able</b> 29:7 32:23,24 57:18</p> <p><b>abreast</b> 40:19</p> <p><b>Academy</b> 11:17</p> <p><b>accept</b> 6:23,25 11:6 11:6 49:15</p> <p><b>accepted</b> 11:12,18 18:14 49:14 55:19</p> <p><b>accessing</b> 29:5</p> <p><b>accidents</b> 27:22</p> <p><b>accountability</b> 21:15</p> <p><b>accreditation</b> 39:21</p> <p><b>accredited</b> 11:14 15:7,8,19 34:19</p> <p><b>accrediting</b> 15:4</p> <p><b>accurately</b> 23:4</p> <p><b>achieve</b> 19:24</p> <p><b>act</b> 5:10 12:11 13:8 13:22 35:3,21 37:14,16 49:7</p> <p><b>active</b> 13:9</p> <p><b>actively</b> 22:5 30:16</p> <p><b>activities</b> 22:23</p> <p><b>actual</b> 38:16</p> <p><b>Adam</b> 2:17 21:21,22 21:23</p> <p><b>adapt</b> 21:6 44:22</p> <p><b>adapting</b> 53:6</p> <p><b>add</b> 24:11</p> <p><b>addition</b> 24:1</p> <p><b>additional</b> 16:1</p> <p><b>address</b> 13:5 17:4 59:5</p> <p><b>addressed</b> 9:8 16:23 16:24</p> <p><b>adheres</b> 15:16</p> <p><b>Adjourn/Adjourn...</b> 4:8</p> <p><b>adjunct</b> 39:2 47:2</p>	<p><b>administrative</b> 1:4 5:7,10 10:2 11:25 15:12,15</p> <p><b>Administrator</b> 7:20</p> <p><b>adopted</b> 17:24 37:16</p> <p><b>adopting</b> 13:22</p> <p><b>adoption</b> 11:24</p> <p><b>advance</b> 26:14</p> <p><b>advancement</b> 30:20</p> <p><b>advantage</b> 23:9</p> <p><b>advise</b> 7:8</p> <p><b>Affairs</b> 1:2 5:6</p> <p><b>affect</b> 55:7</p> <p><b>affiliation</b> 32:9</p> <p><b>affiliations</b> 31:23</p> <p><b>afternoon</b> 30:10 44:3 51:22 52:23 53:15 54:11 56:1 57:13</p> <p><b>agencies</b> 10:17 11:8 15:4,7 36:6 39:21 40:6</p> <p><b>agency</b> 40:2,2</p> <p><b>ago</b> 21:15 28:10 45:10</p> <p><b>agree</b> 17:20 21:9 54:20 55:2 56:10 57:9</p> <p><b>ahead</b> 41:12</p> <p><b>Airport</b> 30:13 48:11</p> <p><b>Alex</b> 2:14 19:9,17</p> <p><b>alike</b> 28:4</p> <p><b>Allen</b> 3:3 37:3,4,5,5</p> <p><b>allow</b> 5:10 11:16</p> <p><b>allowed</b> 9:4,4 16:15</p> <p><b>allowing</b> 8:24,25 26:7,12 39:3 57:2</p> <p><b>allows</b> 26:20</p> <p><b>ambiguous</b> 28:17</p> <p><b>amendments</b> 12:2 12:12</p> <p><b>American</b> 45:20</p> <p><b>amount</b> 26:1 35:19 38:12 46:8</p> <p><b>Andrea</b> 1:10 6:7 7:15</p> <p><b>Andy</b> 3:11 43:19,20</p> <p><b>Ann</b> 1:9 5:3</p> <p><b>Anna</b> 1:16</p> <p><b>annual</b> 10:20 28:8 28:16,25 29:3 36:4</p>	<p><b>annually</b> 35:19</p> <p><b>answer</b> 55:6</p> <p><b>answers</b> 8:10</p> <p><b>Anthony</b> 3:21 51:20 51:21,22</p> <p><b>anybody</b> 50:11 54:6 58:7,11,12 60:5 60:10</p> <p><b>appear</b> 8:11</p> <p><b>appears</b> 11:21</p> <p><b>applied</b> 32:13 33:1</p> <p><b>applies</b> 26:19 56:18</p> <p><b>apply</b> 36:19</p> <p><b>appoint</b> 24:5</p> <p><b>appreciate</b> 8:4 9:25 16:4 21:2</p> <p><b>approval</b> 45:18</p> <p><b>approve</b> 52:5</p> <p><b>approved</b> 15:11 20:10</p> <p><b>approximately</b> 25:25</p> <p><b>arbitrary</b> 36:7</p> <p><b>archaically</b> 23:11</p> <p><b>area</b> 34:11 52:19 56:7,19</p> <p><b>areas</b> 26:12,19</p> <p><b>arena</b> 39:12</p> <p><b>Armada</b> 33:16</p> <p><b>arson</b> 11:9</p> <p><b>assistant</b> 1:14 38:2</p> <p><b>associated</b> 33:5</p> <p><b>Association</b> 9:21,22 9:23 14:5,7 15:6 18:24 22:3,4 25:18 34:12 38:9 49:6 58:21</p> <p><b>assured</b> 9:5</p> <p><b>atmosphere</b> 53:21</p> <p><b>attend</b> 28:11</p> <p><b>attended</b> 46:7</p> <p><b>attending</b> 60:16</p> <p><b>attention</b> 8:18 25:24</p> <p><b>audible</b> 22:22</p> <p><b>Authority</b> 21:25</p> <p><b>available</b> 6:13,18</p> <p><b>awarded</b> 11:11</p> <p><b>aware</b> 8:20 30:6 53:5 55:11</p> <p><b>awesome</b> 42:9</p> <p><b>axe</b> 36:23</p>	<p><b>B-</b> 42:6 58:20</p> <p><b>B-e-b-e-a-u</b> 47:20</p> <p><b>B-r-i-a-n</b> 57:6</p> <p><b>B-r-y-c-e</b> 20:22</p> <p><b>back</b> 8:10 13:23 36:18,19 38:5,15 49:17 50:5,16</p> <p><b>balance</b> 10:16</p> <p><b>bar</b> 6:12 10:20 28:15 57:17</p> <p><b>barriers</b> 29:5</p> <p><b>base</b> 17:14,22</p> <p><b>based</b> 17:2,20 23:16 35:10 39:12</p> <p><b>baseline</b> 17:18</p> <p><b>basic</b> 28:21 43:4</p> <p><b>basically</b> 25:25</p> <p><b>battalion</b> 12:9 16:19 18:4 33:14</p> <p><b>Battle</b> 51:3,14</p> <p><b>Beaver</b> 41:25</p> <p><b>Bebeau</b> 3:16 47:17 47:18,19,19</p> <p><b>beginning</b> 23:24</p> <p><b>begins</b> 29:12</p> <p><b>behalf</b> 7:9 13:8 20:25 33:16 41:11 52:5 54:13</p> <p><b>behavior</b> 47:12</p> <p><b>belief</b> 34:13</p> <p><b>believe</b> 14:20 25:20 32:5,15 33:22,24 34:3,15 37:14 39:3,21,24 40:6 40:15 42:9 48:4 48:17 53:8 54:15 55:11 56:9</p> <p><b>belong</b> 28:11 34:14</p> <p><b>beloved</b> 45:21</p> <p><b>benefit</b> 23:9</p> <p><b>benefits</b> 16:3 45:7</p> <p><b>best</b> 13:12,22 27:6 32:16 44:15</p> <p><b>better</b> 8:7 12:20 23:14 27:25 31:8</p> <p><b>beyond</b> 39:4</p> <p><b>BFS@michigan.gov</b> 58:10</p> <p><b>Bigger</b> 4:7 58:13,14 58:14,18,19,19</p> <p><b>bit</b> 33:2 37:13 55:18</p> <p><b>board</b> 8:6,13 9:10 11:4,8,11,15,17</p>	<p>15:3,8,11,14 16:2 22:2 25:17 26:5,6 26:9,11,13,17,18 26:21 56:19,22</p> <p><b>boards</b> 25:16</p> <p><b>Bob</b> 18:18</p> <p><b>body</b> 15:4</p> <p><b>borders</b> 29:8</p> <p><b>bottom</b> 6:7,10,13 7:18 50:14</p> <p><b>Bourgeois</b> 3:9 41:22 41:24,25,25 42:5 42:6</p> <p><b>boy</b> 42:6 43:21 58:20</p> <p><b>Brian</b> 4:4 57:3,4,5</p> <p><b>brief</b> 12:12 18:6</p> <p><b>bring</b> 8:18 45:23 47:5 53:10</p> <p><b>Brother</b> 50:22</p> <p><b>brothers</b> 20:23</p> <p><b>brought</b> 30:19 42:7</p> <p><b>Bruce</b> 13:20</p> <p><b>brush</b> 55:17</p> <p><b>Bryce</b> 2:16 20:15,18 20:20,21</p> <p><b>budgets</b> 55:11</p> <p><b>build</b> 28:23</p> <p><b>building</b> 47:12</p> <p><b>burdensome</b> 15:15</p> <p><b>Bureau</b> 1:2,5,9,10 5:4 6:25 7:2,14 11:12 15:10,17 34:17</p> <p><b>Burns</b> 1:16</p> <p><b>Burton</b> 38:2</p> <p><b>busy</b> 55:5</p>
		<p><b>B</b></p>		<p><b>C</b></p> <p><b>C</b> 46:14</p> <p><b>C-a-i-r-n-d-u-f-f</b> 18:21</p> <p><b>C-a-n-t-o</b> 44:8</p> <p><b>C-a-r-r-o-l-l</b> 21:24</p> <p><b>C-h-a-r-l-e-s</b> 46:19</p> <p><b>C-h-r-i-s</b> 9:16 33:14 41:9 49:3</p> <p><b>C-h-r-i-s-t-o-p-h...</b> 25:13 51:17</p> <p><b>C-l-a-r-k</b> 18:11</p> <p><b>C-l-e-v-e-l-a-n-d</b> 34:10</p> <p><b>C-o-u-g-h-l-i-n</b> 49:4</p>

<b>cadet</b> 27:9	16:1 22:13,17,19	48:23 49:2,3	<b>command</b> 10:23	<b>concluded</b> 60:18
<b>Cairnduff</b> 2:13	26:11,14,15,19,21	<b>Christopher</b> 2:19	<b>commend</b> 55:14	<b>conditions</b> 28:3
18:18,19,20,20	28:9,10,12 34:18	3:20 25:8,9,10	<b>commensurate</b> 11:1	<b>conducting</b> 5:6,9
<b>Calhoun</b> 51:13	35:1,3,14 39:23	51:1,2	22:17 35:23 49:9	<b>conference</b> 1:6 5:1
<b>call</b> 2:3 6:15,20	40:7,8,14 47:6	<b>circulation</b> 5:19	<b>comment</b> 5:10 6:21	5:25 59:7,13
35:22 44:14 50:21	56:15,22,22,23	<b>cities</b> 15:24	6:22 41:18 43:16	<b>conflicts</b> 24:7
54:25	<b>certifications</b> 16:3	<b>citizens</b> 19:25 27:7	58:11,11,12 60:5	<b>confusion</b> 9:3
<b>called</b> 58:8 59:10	35:16 56:13,15,19	44:13	60:9,10	<b>congratulate</b> 57:22
<b>calling</b> 5:16 22:12	56:20	<b>city</b> 13:20 16:20	<b>comments</b> 5:23,24	<b>consider</b> 26:2
<b>calls</b> 27:22 33:24	<b>certified</b> 1:17 35:19	18:4,20 20:5	6:25 7:2,3,3,5,6	<b>consideration</b> 16:5
<b>camera</b> 50:20 54:7	45:10	24:19 27:15 31:21	7:11,16 8:9 17:4,5	49:8
60:8	<b>certify</b> 15:4 22:15	36:16 37:6,10	18:22 25:3 41:17	<b>considered</b> 7:4 8:11
<b>candidates</b> 11:19	<b>certifying</b> 23:7	38:2 41:4,10	58:9 59:5,8,10,13	8:15
15:4	<b>certs</b> 36:21	42:22 44:4 47:21	60:11,13,15	<b>consistency</b> 28:23
<b>Canto</b> 3:12 44:1,2,3	<b>chair</b> 22:1 32:2	49:4 59:7	<b>Commission</b> 39:15	<b>construction</b> 28:2
44:4,8	<b>challenge</b> 33:2	<b>civilians</b> 28:4,7	39:20	<b>CONTENTS</b> 2:1
<b>capable</b> 32:20	39:24 57:19	<b>claims</b> 16:24	<b>committee</b> 7:25 8:1	<b>continue</b> 12:18
<b>capacity</b> 15:14	<b>challenges</b> 14:24	<b>clarify</b> 28:24	19:21 21:2 22:2	27:22 31:10 44:21
<b>capital</b> 14:4	44:19,22	<b>Clark</b> 2:12 18:8,9	25:19,20 31:20	53:19 54:24 57:23
<b>captain</b> 13:7 18:11	<b>challenging</b> 39:10	18:10,11	32:3 33:18	<b>continued</b> 36:20
29:18 46:18 51:3	39:22	<b>class</b> 50:3	<b>communities</b> 12:19	40:15
53:17 54:8,8,11	<b>change</b> 21:6,16,17	<b>classes</b> 23:11	13:19,21 14:20,23	<b>continues</b> 56:17
54:19 57:11,15	30:14,19 47:11	<b>classifications</b> 24:1	26:11 28:19	<b>continuing</b> 16:22
<b>care</b> 37:1	52:6	24:2,4,10,13	<b>community</b> 9:1	17:11 25:24 26:3
<b>career</b> 9:19 10:13	<b>changed</b> 42:7	<b>clearly</b> 7:7,7 13:13	26:16 27:18 29:20	30:5,22 31:3
10:15 13:17 17:9	<b>changes</b> 5:11,14	13:22 33:3	43:21 44:14	35:16,18,23 36:24
17:13 18:25 24:24	16:6,16 19:20,20	<b>Cleveland</b> 3:1 34:8	<b>company</b> 14:7	37:13 38:11 40:17
25:6 26:22 27:10	19:24 20:8 24:21	34:9,9 36:10,12	<b>Competence</b> 44:12	43:2,3,4 45:8,13
30:21 33:20 35:6	27:4 33:17 36:17	<b>click</b> 6:11 7:18	<b>competencies</b> 32:7	47:11 49:12,12
37:1 44:15 47:10	37:22 38:10 40:18	50:13	<b>competency</b> 22:13	51:10 52:8 56:11
48:16 49:23 57:20	41:6 42:23 47:23	<b>closed</b> 60:12	23:19	59:22
59:20	49:7 51:6 53:7	<b>closer</b> 49:18	<b>competent</b> 23:23	<b>contrary</b> 23:2
<b>careers</b> 30:20	55:15	<b>closing</b> 15:21 60:2	45:11	<b>controversy</b> 26:5
<b>Carroll</b> 2:17 21:21	<b>changing</b> 28:3 55:16	<b>coached</b> 40:11	<b>competently</b> 22:16	<b>conversation</b> 49:19
21:22,23,23	<b>Charles</b> 3:14 46:17	<b>coaching</b> 22:24	<b>competitive</b> 48:19	<b>conversations</b> 9:1
<b>cases</b> 23:15,18 24:1	46:18	<b>coalition</b> 58:24	<b>completed</b> 36:20	<b>coordinator</b> 1:11,12
<b>catch</b> 25:23	<b>chat</b> 7:1	<b>collaborate</b> 21:9	<b>completely</b> 13:16	27:11 30:15 38:25
<b>causing</b> 38:16	<b>check</b> 58:6 60:6	<b>collaborative</b> 16:11	28:17	<b>corner</b> 29:7
<b>Cedar</b> 13:6	<b>chief</b> 9:18 12:9	16:13 17:23	<b>completion</b> 23:6	<b>cornerstones</b> 27:17
<b>ceiling</b> 40:16	16:19 18:4 21:24	<b>colleagues</b> 56:10	<b>compliant</b> 10:24	<b>Corporation</b> 1:17
<b>center</b> 26:13 39:1	25:11,14 30:2,3	<b>college</b> 30:17 43:21	36:2	<b>correct</b> 55:3
46:19 53:18 54:4	33:14,15 34:11	<b>college-based</b> 39:1	<b>comply</b> 5:17	<b>Coughlin</b> 3:19
57:7,16 58:2	35:1 38:2,24 44:4	39:19	<b>component</b> 51:9	48:23,25 49:2,3,3
<b>centers</b> 39:20	49:4 52:1,4 56:6	<b>colleges</b> 39:16 40:12	<b>compromises</b> 32:15	<b>council</b> 5:8 7:17
<b>Century</b> 45:24 53:9	<b>chiefs</b> 9:23 14:8	<b>combination</b> 9:18	<b>concern</b> 8:12,20	10:1,7 11:20 12:2
<b>CER</b> 1:16	18:24 22:5 23:22	22:22 33:21,23	14:18 38:11 45:9	17:2 26:8 27:4,15
<b>certain</b> 35:1	34:4,12 38:9 49:6	58:23	49:17 56:10	35:14 46:6 56:20
<b>Certainly</b> 23:8	<b>Chippewa</b> 29:17	<b>combinations</b> 22:24	<b>concerned</b> 34:25	<b>counted</b> 9:9
<b>certificate</b> 11:5,12	<b>choice</b> 57:20	<b>come</b> 8:19 21:10	<b>concerns</b> 8:9,14,18	<b>counter-</b> 23:23
39:4,5,15,25 40:5	<b>chose</b> 50:15	46:11 47:9 48:10	9:7 15:1 16:16,23	<b>counterproductive</b>
<b>certificates</b> 11:17	<b>Chris</b> 2:6,25 3:8,19	50:15 53:9	17:3 19:1 32:11	23:12
37:7 39:13	9:13,14,15 33:9	<b>comes</b> 34:3	53:7 54:15 55:13	<b>countless</b> 55:15
<b>certification</b> 15:8,18	33:12,13 41:7,8,9	<b>coming</b> 46:15 51:12	56:25 59:3	<b>country</b> 15:9,12

48:22 <b>County</b> 18:4,12 22:1 29:17 32:1 36:16 37:10 42:21 43:21 51:13 52:17 54:9 <b>couple</b> 22:9 59:5,5 <b>course</b> 12:16 23:6 39:17,23 43:22 <b>courses</b> 23:10 <b>Courtland</b> 52:1,4 <b>covering</b> 5:15 <b>create</b> 26:17 <b>created</b> 25:21 <b>creating</b> 24:7 <b>credentialing</b> 15:3 <b>credible</b> 44:23 <b>credit</b> 29:1 39:12,18 55:23 <b>credits</b> 51:11 <b>Creek</b> 41:25 51:3,14 <b>Crossing</b> 13:20 <b>culture</b> 45:3 <b>current</b> 7:23 11:3 11:23 19:2 22:18 <b>currently</b> 11:4,25 15:7 17:10 18:3 24:18 27:16 28:8 31:4 32:8 33:15 35:14 42:22 45:12 49:20 58:20 <b>curriculum</b> 23:4 26:8	<b>Dean</b> 2:19 25:8,9,10 25:10,13 <b>death</b> 27:23 <b>deaths</b> 28:6 31:9 <b>decade</b> 48:14 <b>decades</b> 21:15 22:8 <b>declare</b> 60:12 <b>deeper</b> 49:20 <b>Deerfield</b> 21:25 <b>define</b> 13:13 <b>definitely</b> 46:21 <b>degradation</b> 45:8 <b>degree</b> 39:12 <b>deleted</b> 34:13 <b>delivered</b> 23:10 <b>demands</b> 44:19,20 <b>democratic</b> 9:9 16:17,22 59:4 <b>democratically</b> 20:10 <b>demonstrate</b> 22:13 22:15 <b>demonstrating</b> 23:18 <b>denied</b> 11:24 <b>department</b> 5:5 6:23 7:5,14 9:18 10:18,24 12:10 13:7 16:20 18:5 18:12,21 20:6 24:19,24,24 25:15 28:12,21 29:19 30:2 33:20,20,21 33:23 34:1,5 35:13,13,25 36:3 37:20 38:3 41:5 41:10 42:1 46:19 48:11 49:5 51:3,4 51:24 52:17,24 53:17 54:16 56:7 56:14,16 57:7 58:2,22,23 <b>departments</b> 10:10 19:1,7 29:7 48:4 48:16 52:7,10 55:4 59:9,9,12,15 59:16 <b>deputy</b> 1:9 5:4 9:18 <b>described</b> 34:22 <b>deserve</b> 13:21 17:8 20:1 44:14 <b>deserves</b> 13:12 <b>designed</b> 23:10	<b>desperately</b> 28:22 <b>despite</b> 27:24 <b>destroyed</b> 55:1 <b>determines</b> 36:4 <b>detrimental</b> 25:1 <b>Detroit</b> 13:20 30:12 46:18 48:10 51:24 52:24 53:17 54:4 57:6,15 58:2 <b>develop</b> 25:20 <b>development</b> 16:2 44:23 <b>Dexter</b> 56:6 <b>Dickinson</b> 52:17 <b>difference</b> 13:15 35:7,8,10 59:6,20 59:20 <b>differences</b> 18:25 <b>different</b> 11:3 22:22 23:14 26:10 27:8 30:3,6 36:5,6 49:13 <b>difficult</b> 40:1 <b>digits</b> 6:20 41:16 <b>diligence</b> 19:22 <b>direction</b> 13:23 21:18 29:22 46:21 <b>directly</b> 5:23 17:7 <b>Director</b> 1:10 5:4 <b>directors</b> 23:22 <b>disagree</b> 18:22 21:10 50:3 <b>disciplinary</b> 56:17 <b>disciplines</b> 11:4 15:5 <b>discounted</b> 25:6 <b>discretion</b> 24:4 <b>discuss</b> 21:9 22:6 <b>discussed</b> 5:13 <b>discussions</b> 5:15 <b>disservice</b> 23:2 <b>district</b> 31:24 43:22 <b>diverse</b> 19:22 <b>Division</b> 1:3 51:24 52:24 <b>Docherty</b> 2:10 16:7 16:8,9,19 <b>doctors</b> 39:7 <b>document</b> 6:4 12:17 46:20 51:25 53:4 53:5,18,24 54:5 54:14 55:12,14 56:8,9,12,13 57:1 57:23 58:5 59:1	59:19 <b>documentation</b> 39:10 <b>doing</b> 30:23 45:11 <b>Don</b> 58:14,16 <b>Donald</b> 4:7 58:18,19 <b>doubt</b> 23:21 <b>Doug</b> 3:9 41:24,25 42:5 <b>dozens</b> 8:14 <b>draft</b> 5:12 10:8,11 11:1,3,6,16,22,24 11:25 <b>drafting</b> 10:2 49:6,8 <b>due</b> 17:1 19:22 24:6 <b>duties</b> 10:25 14:13 14:20 15:23 35:24 49:10 <b>duty</b> 10:23	<b>effort</b> 16:11,13 17:23 <b>efforts</b> 9:25 21:2 46:23 <b>Egelston</b> 34:10 <b>either</b> 43:3 <b>elected</b> 20:10 <b>Electronic</b> 1:17 <b>email</b> 60:15 <b>emailed</b> 6:23 <b>emergency</b> 44:11 47:8 <b>employees</b> 32:9 <b>EMS</b> 27:22 28:14 53:17,23 59:24 <b>EMT</b> 43:4 <b>enacted</b> 14:22 <b>encourage</b> 15:14 <b>encouraged</b> 59:18 <b>encourages</b> 44:24 <b>enduring</b> 23:1 <b>enforcement</b> 28:14 38:12,14 55:4 <b>engaged</b> 13:9 <b>enhance</b> 15:13 26:22 <b>ensure</b> 14:11 44:18 <b>ensures</b> 22:14 <b>ensuring</b> 15:21 <b>entire</b> 13:10 32:14 <b>entirety</b> 11:18 34:14 <b>entitled</b> 5:8 <b>entity</b> 24:5 <b>environment</b> 32:18 54:20,23 <b>epitome</b> 48:17 <b>equal</b> 45:19 <b>equipment</b> 27:25 28:1 <b>equity</b> 26:10 <b>equivilates</b> 25:25 <b>Eric</b> 2:23 30:8,9,11 <b>escape</b> 28:4 <b>especially</b> 24:9 30:23 <b>establish</b> 21:13 30:5 32:5 <b>established</b> 13:19 18:25 <b>establishes</b> 29:2 <b>evaluation</b> 22:25 <b>event</b> 22:7 <b>everybody</b> 6:3,6
<hr/> <b>D</b> <hr/> <b>D-a-v-e-l-u-y</b> 36:15 <b>D-e-a-n</b> 25:14 <b>D-o-c-h-e-r-t-y</b> 16:19 <b>D-o-n-a-l-d</b> 58:19 <b>D-o-u-g</b> 42:5 <b>daily</b> 44:19 <b>Dan</b> 1:12 <b>dangerous</b> 27:19 36:25 <b>dangers</b> 14:14 <b>data</b> 10:9 51:12 <b>date</b> 31:5 47:5 <b>Daveluy</b> 3:2 36:13 36:14,15,15 <b>day</b> 8:16 9:5 <b>deaf</b> 11:21 <b>dealing</b> 47:13				

16:10,15 18:15 20:16,22,24 21:6 21:20 47:15 54:11 55:23 56:1 59:14 59:19 60:3 <b>evolution</b> 21:5 29:3 <b>evolve</b> 21:5 27:23 44:21 <b>evolving</b> 57:20 <b>Exactly</b> 12:4 <b>exam</b> 39:10 <b>examination</b> 39:18 40:9 <b>example</b> 28:25 35:1 57:21 <b>examples</b> 23:3 <b>exceed</b> 31:7 <b>excellent</b> 26:7 <b>excessive</b> 32:6 <b>excuse</b> 18:13 56:2 <b>executive</b> 9:10 25:17 <b>Exhibit</b> 4:10,12 <b>Exhibits</b> 60:17 <b>exist</b> 29:6 <b>expand</b> 6:15 <b>expect</b> 39:6,8 44:14 51:10 <b>expectation</b> 44:21 <b>expectations</b> 28:21 44:20 <b>expected</b> 35:24 49:10 <b>experience</b> 39:8 48:14,14 54:15 57:7 <b>experienced</b> 28:5 44:25 <b>experiences</b> 39:6,13 <b>express</b> 16:15 <b>extensive</b> 14:12 <b>extent</b> 8:24 <b>extrapolate</b> 22:18	45:1 56:14 <b>failure</b> 35:25 <b>fair</b> 8:4 12:17 32:13 <b>fall</b> 24:2 38:15 <b>fallen</b> 11:21 <b>falling</b> 48:21 <b>families</b> 32:24 <b>family</b> 26:14 <b>Fankhauser</b> 2:8 12:22,24 13:1,2,3 <b>far</b> 30:23 31:1,3 <b>faster</b> 23:14 <b>favor</b> 12:11 19:14 19:19 38:8 <b>fear</b> 40:6,11 <b>feature</b> 6:1 <b>fee</b> 26:20 <b>feel</b> 16:24 19:20 51:7 <b>fellow</b> 20:17 <b>FEMA</b> 10:9 <b>Fenton</b> 18:21 46:4 <b>FFTD</b> 1:11,12 <b>fighter</b> 1:3 14:10 46:3 <b>fighters</b> 5:8 7:16 9:20 10:1,14 12:1 16:22 20:7 24:20 27:4 31:25 32:3 46:6 <b>find</b> 10:15 56:12 <b>finding</b> 54:23 <b>finished</b> 6:19 <b>fire</b> 1:2,3,5,9,10,11 1:14 5:4,8 7:15,16 7:23 8:7 9:2,8,20 9:21,23,23 10:1,4 10:14,18 11:3,4,9 11:10,12,17 12:1 12:9,13,18 13:6,7 13:9,11,14,17 14:8,10,12 15:5,8 15:10,21 16:20,21 18:5,12,15,21,24 19:25 20:5,7,23 21:1,6,10,24,25 22:2,4,4,8 23:4,21 24:18,19,20,22 25:11,14,14,18,21 25:22 26:6 27:4,6 27:8,9,19 28:3,4,6 28:12,20 29:4,6 29:19 30:2,2,18	30:25 31:22,25 32:3,17 33:15,20 34:3,7,11,12 35:1 35:2,13 36:21,22 36:25 37:6,8,8,9 37:20 38:2,2,3,3,9 38:24 41:4,10,11 42:1,10 44:4,5,9 44:17,20,21,25 45:2,3,4,14,17,19 45:20,21,23 46:3 46:5,6,7,12,19 47:8,12,14 48:4 48:11 49:4,6 51:3 51:24 52:4,17,24 53:9,11,17,19 54:9 56:6,7,7,14 56:16 57:6,15 58:2,21,22 59:8,9 <b>firefighter</b> 15:13 24:23 27:10,10 31:21 35:4,4,5,6 35:12 36:17 37:8 38:13,17 40:10 42:22 47:20,22,23 48:13 54:18 <b>firefighters</b> 9:19,19 10:8,12,13,18 12:19 14:7,25 15:25 17:7,9,12 20:11 27:13 30:13 31:3,8 32:2,20 35:6,7 39:8 42:21 42:25 45:7 47:5 48:6 49:9,13,22 49:23,23 <b>firefighting</b> 27:18 57:9 <b>Fireman's</b> 9:22 14:5 14:7 <b>fires</b> 27:21,25 28:7 36:25 <b>Firm</b> 1:18 <b>first</b> 7:25 21:14 25:19 56:12 57:17 57:21 <b>firsthand</b> 16:3 <b>five</b> 27:15 <b>flawed</b> 53:4 <b>flaws</b> 22:10 <b>floor</b> 32:5 40:16 <b>flourish</b> 32:25 <b>focus</b> 45:15	<b>folks</b> 33:2 <b>following</b> 5:24 14:9 15:1,16 <b>footing</b> 45:19 <b>Forbes</b> 3:25 53:13 53:14,15,16,16 <b>force</b> 23:1 37:11 <b>form</b> 22:18 45:1 <b>formed</b> 25:21 <b>forth</b> 36:4 <b>fortunate</b> 27:7 <b>forward</b> 9:11 11:24 12:11,18 13:13 16:17,25 17:2,22 18:7 21:3,12,19 30:15,22 31:10 37:16 42:9 45:18 46:22 48:5,18,20 52:18 53:5,20,22 <b>foundation</b> 28:23 29:23 45:2 <b>four</b> 6:20 41:16 <b>Fox</b> 2:15 20:2,3,4,4 <b>framework</b> 44:24 <b>frankly</b> 28:9 <b>frequency</b> 33:24 <b>Frieden-</b> 52:12 <b>Friedenstab</b> 3:23 52:13,14,15,16 <b>front</b> 14:11 <b>full</b> 18:23 20:8,13 20:14 21:3,18 24:21 29:1 30:14 31:11 32:10 35:11 38:8,23 39:17,23 41:5 42:1 46:22 48:3 54:3,5 57:16 58:5,23 59:6,12 <b>full-paid</b> 47:22 <b>full-time</b> 27:11 54:17,19 57:8 <b>fully</b> 30:6,7 40:10 40:17 41:13 <b>function</b> 7:1 50:19 60:7 <b>fund</b> 55:4 59:25 <b>funded</b> 59:16,17 <b>further</b> 26:21 34:25 55:1 60:11 <b>future</b> 42:9 44:21 45:17 53:11,20	<b>G-e-t-t-e-l</b> 48:3 <b>G-r-a-y</b> 48:9 <b>G-r-u-t-z-a</b> 46:3 <b>general</b> 5:8,19 7:17 35:22 56:9 <b>generation</b> 45:7 <b>genuine</b> 14:21 <b>Gettel</b> 3:17 47:25 48:1,2,2 <b>getting</b> 55:1 59:16 <b>give</b> 40:19 42:17 43:17 <b>giving</b> 39:18 <b>glad</b> 59:10 <b>glaring</b> 23:23 <b>glitch</b> 13:2 <b>globe</b> 15:10 <b>go</b> 21:18 32:24 33:6 41:15 42:14 49:17 50:5,20 58:9 60:6 <b>goal</b> 48:21 <b>goes</b> 39:4 <b>going</b> 6:9 8:6,24 9:3 9:4 10:11 12:17 16:13,14 21:17 31:23 32:17 38:14 49:14 54:13 55:6 58:6 <b>good</b> 5:3 8:8 9:15 12:8 13:2,4 16:9 18:10 20:16,22 21:19 23:15 29:22 30:10,11 33:10 36:21 37:5 44:3 51:22 52:23 53:15 54:2,11 55:12 56:1,9,9 57:13,13 <b>government</b> 24:5,7 <b>Grand</b> 5:19 13:7 18:5,12 <b>Gray</b> 3:18 48:7,8,9 48:9 <b>great</b> 17:1 22:9 42:8 <b>ground</b> 47:14 <b>groups</b> 8:12,21 <b>Grutza</b> 3:13 45:25 46:1,2,2 <b>guess</b> 6:9 16:18 <b>guidelines</b> 17:14
<b>F</b> <b>F-a-n-k-h-a-u-s-e-r</b> 13:4 <b>F-o-r-b-e-s</b> 53:16 <b>F-o-x</b> 20:5 <b>F-r-i-e-d-e-n-s-t-a...</b> 52:16 <b>face</b> 27:22 <b>fact</b> 23:10 27:24 28:7 35:24 40:7			<b>G</b>	<b>H</b> <b>H-a-r-p-e-r</b> 47:2 <b>H-e-i-m</b> 31:18

<b>hail</b> 13:6,16 <b>Hammerberg</b> 1:12 <b>hampered</b> 55:1 <b>hand</b> 6:1,13 7:19 44:1 50:15,19,20 54:8 58:7 60:7,8 <b>hands</b> 60:6 <b>hard</b> 16:10 30:19 31:20 <b>hardship</b> 38:16 <b>harms</b> 39:20 <b>Harper</b> 3:15 46:24 46:25 47:1,1 <b>hazardous</b> 27:19 <b>hazards</b> 27:22 <b>HAZMAT</b> 37:11 <b>head</b> 6:8 <b>health</b> 32:3 <b>hear</b> 12:24 19:10 31:15 38:19 42:16 48:25 50:7 <b>hearing</b> 1:4 4:13 5:6 5:7,9,13,14,16,18 7:6,6 60:12,18 <b>hearings</b> 5:12 <b>Heartland</b> 21:25 <b>height</b> 10:20 30:2 <b>Heights</b> 16:20 25:14 37:7,10 <b>Heim</b> 2:24 31:12,13 31:15,17,18,18,21 <b>held</b> 13:17 24:25 <b>hello</b> 19:10 20:4,16 20:23 21:23 24:16 25:10 26:25 29:16 31:13 40:23 41:22 46:2,15 47:1 48:2 48:9 50:23 51:2 <b>help</b> 19:24 44:14 45:1 46:12 47:13 <b>helped</b> 25:19 47:16 <b>Hi</b> 18:2 30:1 31:18 33:13 37:19 41:25 44:3 47:19 57:5 58:1,14 <b>high</b> 20:11 28:16,23 <b>higher</b> 27:23 28:18 39:15,20 48:20 <b>highest</b> 44:17 <b>highly</b> 53:3 <b>Hills</b> 44:4 <b>hold</b> 6:5 10:11 11:4 16:2 28:18 37:7	39:13 40:14 48:20 <b>holding</b> 15:18 34:18 <b>holds</b> 35:14 <b>Hollie</b> 1:14 <b>Holmes</b> 50:7 <b>home</b> 32:24 33:6 <b>hope</b> 55:25 <b>hose</b> 36:23 <b>hour</b> 12:2 26:1 28:11 <b>hours</b> 8:2 10:3 16:12 20:9 23:7 28:25 29:2 33:2 35:16,25 36:1,4,8 39:12,18 49:12 55:16 <b>hyphen</b> 58:10	<b>incident</b> 36:2 <b>incidents</b> 27:20 <b>include</b> 45:5 <b>includes</b> 7:15 <b>including</b> 25:17 27:20 31:24 57:8 <b>inclusive</b> 59:19 <b>increase</b> 54:24 <b>increased</b> 19:4 29:3 <b>increases</b> 14:24 <b>increasing</b> 55:2 <b>INDEX</b> 4:10 <b>indicate</b> 49:15 <b>indicated</b> 24:12 <b>indications</b> 23:24 <b>individual</b> 15:18 34:18 35:12 56:20 <b>individuals</b> 6:16 26:18 54:25 55:14 <b>industry</b> 28:13,18 35:22 40:18 <b>inefficient</b> 34:21 <b>information</b> 51:12 <b>inherent</b> 14:15 <b>inhibited</b> 30:19 <b>initial</b> 28:9,10 <b>input</b> 12:14 16:5,12 59:2,3 <b>inspector</b> 7:24 9:23 11:10,11 22:4 37:8 <b>inspectors</b> 9:8 59:7 59:13 <b>instance</b> 40:3 <b>instruction</b> 14:13 22:24 47:12 <b>instructor</b> 11:5 21:1 23:15 37:9 47:2 53:3 57:6 <b>instructor-at-large</b> 38:25 <b>instructors</b> 9:21 22:3 25:18 29:5 34:7 56:18 58:21 59:18 <b>intent</b> 9:6 15:16 49:22 50:3 <b>intentions</b> 14:21 32:16 <b>intercity</b> 26:16,18 <b>interest</b> 27:6,6 <b>interpret</b> 11:6 <b>interpretation</b>	28:17 <b>interruption</b> 12:5 <b>investigation</b> 36:2 <b>investigator</b> 37:9 <b>investigators</b> 11:9 <b>involved</b> 16:12 21:16 22:5 53:3,6 58:24 <b>Iron</b> 52:17 <b>irregardless</b> 32:9 <b>ISO</b> 28:24 <b>issue</b> 5:21 15:20 24:3 34:20,23 49:11 50:18 54:8 <b>issues</b> 5:16 8:14 16:13 21:10 56:12 <b>items</b> 5:13	<b>Johnson</b> 2:11 17:25 18:1,2,2 <b>Josh</b> 3:18 48:7,8,9 <b>Journal</b> 5:20 <b>JPR</b> 39:10 40:5 <b>Jr</b> 2:11 17:25 18:1,2 <b>justification</b> 36:9 <b>Justin</b> 2:15 20:2,3,4 50:7,8,8
<b>K</b>				
<b>K</b> 29:24 <b>K-a-r-r-o-l-l</b> 38:23 <b>K-e-v-i-n</b> 30:2 37:19 <b>K-o-s-h-o-r-e-</b> 19:19 <b>K-r-o-t-c-h-e</b> 33:14 <b>K-y-l-e</b> 7:22 <b>Karroll</b> 3:6 38:18 38:19,21,22,22 40:20,21 <b>keep</b> 19:3 48:4 53:20,22,22 <b>Kent</b> 18:12 <b>Kentwood</b> 12:9 <b>Keown</b> 1:10 6:8 7:15 29:10 36:10 40:20 <b>Kevin</b> 1:11 2:22 3:4 29:25 30:1 37:17 37:18,19 <b>key</b> 51:9 <b>kids</b> 30:13 <b>killed</b> 42:24,24 <b>kind</b> 49:25 <b>kinesthetic</b> 22:23 <b>know</b> 8:15 10:2 16:3 18:6 20:9 22:21 23:13 30:18 46:7 47:9 48:15 51:9 51:11 55:3,5,7,9 55:13,15 57:20 <b>knowledge</b> 22:16 <b>knowledgeable</b> 44:25 <b>known</b> 25:4 <b>Koshorek</b> 2:14 19:9 19:10,12,14,17,18 <b>Krotche</b> 2:25 33:9 33:10,12,13,13 <b>KSA's</b> 22:16 <b>Kyle</b> 2:5 7:21,22				

<p><b>L</b></p> <p><b>L-A-R-A</b> 58:10</p> <p><b>L-e-i-e-e-r</b> 14:4</p> <p><b>L-i-a-m</b> 38:22</p> <p><b>L-i-n-c-e</b> 41:9</p> <p><b>L-o-v-e</b> 51:17</p> <p><b>lagged</b> 45:14,17</p> <p><b>laid</b> 57:1</p> <p><b>language</b> 15:15 22:19,20 23:17 45:5</p> <p><b>LARA</b> 58:9</p> <p><b>LARA-BFS@mic...</b> 6:24 60:15</p> <p><b>large</b> 9:2</p> <p><b>larger</b> 24:3</p> <p><b>law</b> 22:11 23:18 24:6 28:14 34:15 34:24 35:2,9</p> <p><b>lawyers</b> 39:7</p> <p><b>lead</b> 22:20 57:21</p> <p><b>leaders</b> 44:22</p> <p><b>leadership</b> 45:4</p> <p><b>leading</b> 21:14 34:4</p> <p><b>learn</b> 22:21 23:3,14</p> <p><b>learning</b> 23:1,16 39:15,20</p> <p><b>learns</b> 23:13</p> <p><b>leg-work</b> 55:23</p> <p><b>legislation</b> 30:5</p> <p><b>lenses</b> 27:8</p> <p><b>lessons</b> 29:7</p> <p><b>Let's</b> 17:1</p> <p><b>letter</b> 18:23 38:8</p> <p><b>level</b> 17:8 19:24 27:14 32:20 34:4 35:1 40:8</p> <p><b>levels</b> 15:5 30:6 35:4</p> <p><b>leveraging</b> 29:8</p> <p><b>liability</b> 24:8</p> <p><b>Liam</b> 3:6 38:18,18 38:21,22</p> <p><b>license</b> 36:19</p> <p><b>licenses</b> 43:3</p> <p><b>Licensing</b> 1:2 5:5</p> <p><b>lieutenant</b> 31:22 41:10 51:23 52:21 52:23 54:4 58:1</p> <p><b>life</b> 26:14,22 32:21 39:13</p> <p><b>likes</b> 21:16</p> <p><b>limited</b> 7:11</p> <p><b>Lince</b> 3:8 41:7,8,9,9</p>	<p><b>Lincoln</b> 31:22</p> <p><b>line</b> 14:11 51:7</p> <p><b>line-of-duty</b> 27:23 31:9</p> <p><b>lines</b> 41:16</p> <p><b>list</b> 6:14,15 7:18 50:21 54:14</p> <p><b>listed</b> 23:24</p> <p><b>listening</b> 60:2</p> <p><b>little</b> 33:2 49:18 55:18</p> <p><b>live</b> 18:3,12 21:8 34:15,23 36:16 51:13</p> <p><b>living</b> 32:21</p> <p><b>Livingston</b> 22:1</p> <p><b>local</b> 24:5,7 27:13 30:13 38:15 59:16</p> <p><b>locals</b> 59:25</p> <p><b>located</b> 6:12</p> <p><b>locations</b> 49:13</p> <p><b>long</b> 32:21 43:5 47:2</p> <p><b>long-time</b> 20:25</p> <p><b>longer</b> 29:6</p> <p><b>look</b> 6:10 40:16 44:18</p> <p><b>looked</b> 42:8 49:18 52:19</p> <p><b>looking</b> 49:25 53:5</p> <p><b>looks</b> 12:14 43:25</p> <p><b>losing</b> 10:21</p> <p><b>lost</b> 28:6</p> <p><b>lot</b> 12:15,15 20:17 20:23 25:2 31:9 59:1,2,8,13,23</p> <p><b>lots</b> 9:3</p> <p><b>Love</b> 3:20 50:22,23 51:1,2,2,17,19</p> <p><b>low</b> 33:23,24</p> <p><b>lower</b> 13:21</p> <p><b>LR</b> 14:10</p> <p><b>M</b></p> <p><b>M-a-n-t-e-l-s</b> 9:16</p> <p><b>M-a-r-c-o-t-t-e</b> 27:1</p> <p><b>M-a-r-k</b> 13:3 16:19 34:9</p> <p><b>M-a-s-s-e-y</b> 54:3</p> <p><b>M-a-t-t-h-e-w</b> 24:17</p> <p><b>M-c</b> 14:4</p> <p><b>M-i-c-h-a-e-l</b> 14:3</p> <p><b>M-i-c-k-l-e-s</b> 53:2</p> <p><b>M-i-k-e</b> 38:1 47:1</p>	<p><b>M-o-j-z-u-k</b> 52:4</p> <p><b>ma'am</b> 46:15</p> <p><b>maintain</b> 28:8,12</p> <p><b>maintaining</b> 15:11</p> <p><b>major</b> 8:12,20</p> <p><b>majority</b> 17:2 45:22</p> <p><b>makers</b> 49:19</p> <p><b>making</b> 7:6 24:3 25:3 32:19</p> <p><b>manage</b> 33:4</p> <p><b>manager</b> 43:22</p> <p><b>mandate</b> 55:10</p> <p><b>mandates</b> 35:3</p> <p><b>manner</b> 5:25 7:5 8:4 32:21</p> <p><b>Mantels</b> 2:6 9:13,14 9:15,15</p> <p><b>March</b> 1:7 5:2,17,20 5:22</p> <p><b>Marcotte</b> 2:20 26:23,24,25,25 27:3 29:10,12</p> <p><b>Marie</b> 29:19</p> <p><b>mark</b> 2:8,10 3:1 7:13 12:22,23 13:1,3 16:7,8,18 34:8,9</p> <p><b>marked</b> 4:12 60:17</p> <p><b>marshal</b> 23:4 26:7 37:6 38:2 46:6</p> <p><b>Marshall</b> 1:11,14</p> <p><b>Massey</b> 4:1 53:25 54:1,2,3</p> <p><b>material</b> 26:8</p> <p><b>materials</b> 28:2 29:5</p> <p><b>Matt</b> 24:14</p> <p><b>matter</b> 20:12 39:9 47:7</p> <p><b>Matthew</b> 2:18 24:15 24:16</p> <p><b>mayor</b> 27:16</p> <p><b>McLeieer</b> 2:9 13:25 14:1,2,3</p> <p><b>mean</b> 40:9 45:10</p> <p><b>meaningful</b> 15:14</p> <p><b>measurable</b> 13:18 21:13</p> <p><b>measure</b> 23:25 24:10</p> <p><b>measurement</b> 36:7</p> <p><b>mechanism</b> 40:19 50:1</p> <p><b>medical</b> 43:3 51:11</p>	<p><b>medics</b> 40:4</p> <p><b>meet</b> 17:13,13 32:7 35:19,21 44:22 46:12</p> <p><b>meeting</b> 2:4 38:13 45:15</p> <p><b>meetings</b> 8:3 46:7</p> <p><b>meetings-at-work</b> 10:3</p> <p><b>meets</b> 15:20 34:20</p> <p><b>member</b> 9:20 13:9 13:17 20:25 22:2 22:3 25:15,17 27:15 29:1 46:12 48:5 56:15</p> <p><b>members</b> 1:9 8:1 9:1 9:2,6 13:11,21 19:3,4 25:21 29:20 33:18 44:18 45:1 46:5</p> <p><b>membership</b> 56:13</p> <p><b>memo</b> 26:5,6</p> <p><b>memorandum</b> 11:7 11:13</p> <p><b>mention</b> 8:17</p> <p><b>menu</b> 6:12</p> <p><b>merit</b> 40:14</p> <p><b>met</b> 19:2 36:3,3 55:20</p> <p><b>methods</b> 23:15</p> <p><b>Metro</b> 30:13 48:10</p> <p><b>Metts</b> 1:14</p> <p><b>MFFTC</b> 36:4</p> <p><b>MFIS</b> 7:20</p> <p><b>Michael</b> 2:9 13:25 14:1,2</p> <p><b>Michigan</b> 1:1,11,14 5:21 7:23 8:25 9:20,21,22,22,23 10:1,9,13 11:5,8 11:10 12:1,20 13:6,9,11,13 14:5 14:6,8 16:21 18:23 20:6 21:2 21:14 22:2,3,4,7 24:20 25:15,18 29:18 30:16 31:25 32:2 34:11 36:18 37:11 38:9,24 39:2 42:21 44:10 45:3,12,14,17,19 45:23 46:5 49:5 49:24 51:14 53:3</p>	<p>53:8 56:16,21,24 58:21</p> <p><b>Mickles</b> 3:24 52:21 52:22,23,24 53:2</p> <p><b>micromanage</b> 11:2</p> <p><b>Midland</b> 20:5 36:16 36:16 37:20 41:4 41:10 47:21 48:5 49:4</p> <p><b>Mike</b> 3:5,15 37:23 37:24 38:1,5,6 46:24,25 47:1</p> <p><b>mill</b> 57:9</p> <p><b>mills</b> 40:7,12,13</p> <p><b>mind</b> 9:7 52:7</p> <p><b>minimal</b> 17:19,20</p> <p><b>minimum</b> 28:24 29:2 31:6,7 32:7 33:3,23,25 35:22 36:1</p> <p><b>minimums</b> 41:13</p> <p><b>Mining</b> 5:20</p> <p><b>minutes</b> 7:11,13 29:10 36:10 40:20</p> <p><b>MIOSHA</b> 10:24 11:2 32:8 35:20 35:21 36:4 49:8 49:14,15,19</p> <p><b>Modern</b> 28:2</p> <p><b>Mojzuk</b> 3:22 52:2,3 52:3</p> <p><b>Monroe</b> 32:1</p> <p><b>Montcalm</b> 18:4</p> <p><b>month</b> 26:1</p> <p><b>morning</b> 5:3 9:15 12:8 13:3,4 16:9 18:10 20:16,22 30:11,11 37:5 54:2 57:13</p> <p><b>motor</b> 27:21</p> <p><b>MOU</b> 8:23,24 15:11 34:14,21,23 50:2</p> <p><b>MOU's</b> 8:25 11:16</p> <p><b>Mountain</b> 52:17</p> <p><b>move</b> 7:13 12:18 13:13 16:17 17:1 17:2,22 26:15 30:15 31:10 41:12 45:18 53:10,19</p> <p><b>moved</b> 37:16</p> <p><b>moving</b> 9:11 11:24 12:11 16:25 18:7 21:3,12,19 30:22</p>
--	--	---	---	--

30:25 42:9 46:22 48:5 52:18 53:20 53:22 <b>MPFFU</b> 54:17 <b>MSFA</b> 14:6 <b>muddled</b> 49:25 <b>multiple</b> 15:11 <b>multitude</b> 27:20 <b>municipality</b> 13:15 27:14 38:15,17 <b>municipality's</b> 24:9 <b>Muskegon</b> 25:14,15 34:7,11 <b>mute</b> 38:6,18	<b>needs</b> 25:22 27:14 32:19 33:4 39:10 39:25 40:9 43:5 45:3 49:19 <b>negative</b> 9:6 14:22 <b>negatively</b> 6:8 <b>Network</b> 1:17 <b>never</b> 11:6 <b>new</b> 23:4 31:1,1 44:22 48:12 51:12 52:5 <b>newer</b> 31:4 <b>newspapers</b> 5:19 <b>NFPA</b> 11:10 15:6 15:20 23:25 31:6 34:20 39:10 40:5 56:14,22 <b>NFPA-based</b> 50:1 <b>nice</b> 20:24 <b>Nicholas</b> 2:21 29:14 29:15,16 48:1,2 <b>Nick</b> 47:25 <b>Nicolas</b> 3:17 <b>North</b> 54:9 <b>northern</b> 20:7 <b>notch</b> 53:23 <b>note</b> 6:22 <b>Notice</b> 4:13 5:18 <b>number</b> 1:18 6:20 8:22 34:12 36:1 40:4 <b>numerous</b> 16:2 <b>Nurses</b> 43:4 <b>nursing</b> 28:14	39:12 <b>offering</b> 14:9 54:15 <b>office</b> 8:3 <b>officer</b> 10:23 30:3 35:2 54:16,19 <b>officers</b> 14:8 59:25 <b>official</b> 14:6 <b>oh</b> 38:5 50:21 <b>Ohio</b> 40:3 <b>okay</b> 14:2 20:2 27:1 42:14 48:25 49:3 50:10 <b>older</b> 31:4 <b>on-call</b> 17:6 18:16 47:10 49:23 54:20 <b>once</b> 7:11 11:14 21:14 <b>ones</b> 31:4 <b>open</b> 28:17 60:13 <b>opinion</b> 10:6 11:25 19:7 <b>opportunities</b> 16:2 23:9 <b>opportunity</b> 7:10 9:17 13:5 15:25 16:4 22:6 26:12 27:12 <b>opposition</b> 56:8 <b>option</b> 6:13,14 50:15 <b>order</b> 2:3 5:16 48:18 <b>organization</b> 7:9 8:21 11:15 14:11 15:19 27:5 34:19 41:1 42:18 44:16 50:25 55:22 <b>organizational</b> 45:2 <b>organizations</b> 12:13 15:12 44:18 <b>out-of-</b> 11:18 <b>outlined</b> 16:6 <b>outlines</b> 15:1 <b>outside</b> 8:25 34:15 34:24 <b>overall</b> 8:6 21:17 55:12 <b>overcomplicated</b> 34:21 <b>overdue</b> 19:21 43:5 <b>overreach</b> 24:7 <b>overreaching</b> 35:2 <b>oversee</b> 12:10 <b>oversight</b> 55:10	<b>overstated</b> 44:11 <b>owe</b> 28:19 <hr/> <b>P</b> <hr/> <b>P-i-c-h-a-n</b> 46:20 <b>P-o-l-z-i-n</b> 41:4 <b>p.m</b> 6:24 60:13,18 <b>PA</b> 15:16 <b>PAGE</b> 2:1 4:11 <b>paid</b> 17:6 18:16 32:10 54:20 <b>paid-on-</b> 54:24 <b>paid-on-call</b> 9:19 10:15 19:1 24:23 25:6 27:10 35:5 35:11 44:16 48:15 54:23 57:8 58:23 59:8 <b>paper</b> 39:5 <b>paramedic</b> 36:19,20 36:21 43:4 <b>paramount</b> 24:22 25:5 44:13 <b>Park</b> 31:22 <b>parole</b> 11:8 <b>part</b> 10:24 20:13 47:10 49:8 58:25 59:6,11,22 <b>participant</b> 6:14 7:18 50:14 <b>participants</b> 6:7,11 6:12,15,18,19 <b>participate</b> 50:13 <b>particular</b> 25:23 <b>pass</b> 30:4 40:13 <b>passage</b> 30:7 <b>passed</b> 43:5 59:4 <b>pay</b> 26:20 <b>pays</b> 40:13 <b>peace</b> 50:6 <b>peers</b> 28:19 <b>peninsula</b> 13:21 29:18 52:18 <b>people</b> 12:16 25:2 26:20 39:3 40:8 42:7 55:5 59:2 <b>percent</b> 10:10,11,13 10:17 16:25 17:20 17:23 <b>perfectly</b> 46:20 <b>perform</b> 14:13,19 15:22 22:15 35:24 49:10	<b>performed</b> 19:22 <b>perilous</b> 28:5 <b>person</b> 7:10,12 22:12 <b>personal</b> 25:4 27:25 <b>personnel</b> 10:22,25 15:22 <b>perspective</b> 25:5 <b>philosophy</b> 56:10 <b>phone</b> 6:20 41:15 <b>phonetic</b> 18:13 <b>phrase</b> 45:21 <b>Pichan</b> 3:14 46:14 46:15,17,18,18 <b>piece</b> 39:5 <b>place</b> 11:2 35:3 55:18 <b>placed</b> 21:12 <b>Plainfield</b> 58:22 <b>please</b> 6:1,22 7:17 17:22 19:13,16 20:19 25:12 40:25 42:4,4 44:7 51:16 53:1 58:3,17 <b>plenty</b> 21:8 23:8 <b>plus</b> 47:4 <b>point</b> 8:17 12:14 16:15 19:8 30:24 54:13 <b>points</b> 18:24 42:8 <b>police</b> 11:9 59:25 <b>policies</b> 45:5 <b>Polzin</b> 3:7 40:22,23 41:2,3,3 <b>portability</b> 45:6 <b>portion</b> 6:1 <b>position</b> 13:10 <b>positive</b> 45:2 <b>Possession</b> 39:5 <b>possible</b> 8:18 13:12 32:22 33:1 47:14 60:1 <b>possibly</b> 42:24 <b>postmarked</b> 6:24 <b>potential</b> 24:8 <b>potentially</b> 55:9 <b>powers</b> 38:14 <b>practical</b> 22:14 23:19 <b>prepare</b> 23:16 <b>prepared</b> 44:18 <b>present</b> 1:9,14 45:16 <b>presented</b> 38:24
---	---	--	--	--

<p>40:16 53:7  <b>Presently</b> 37:7  <b>president</b> 7:23 14:4  16:21 31:24 54:18  58:14,20  <b>Press</b> 5:20,20  <b>previously</b> 7:1  <b>primarily</b> 10:10  <b>primary</b> 15:23  <b>prior</b> 23:6 39:13  <b>priorities</b> 44:17  <b>priority</b> 32:19,22  <b>privilege</b> 27:12  47:21 54:17  <b>pro</b> 11:4,11,15,17  15:3,7,11 16:2  26:5,6,9,11,13,17  26:18,21 27:16  56:22  <b>probably</b> 42:8 49:18  <b>problem</b> 19:4  <b>problems</b> 59:15  <b>procedures</b> 5:10  45:5  <b>proceed</b> 27:1  <b>process</b> 8:4,7,16,23  9:9 12:11 13:13  16:17,23 17:1  19:23 21:3,12,19  40:14 53:6 56:17  59:4  <b>profession</b> 14:15  44:20 45:4,9  51:12 53:12  <b>professional</b> 9:20  15:6 16:1,21  18:16 20:6 24:20  31:25 32:2 38:4  42:21 44:23 48:6  53:21,21 55:22  <b>professionalism</b>  19:25  <b>professionals</b> 15:9  <b>professor</b> 39:2 47:2  <b>program</b> 11:11  12:10 23:5 38:25  <b>programs</b> 11:11  44:16  <b>progress</b> 45:22  48:18,19  <b>properly</b> 23:15  <b>proposal</b> 19:2  <b>proposed</b> 5:7,11,14</p>	<p>5:24 14:9,17,19  14:21 15:2,3,15  19:20 22:11 27:4  28:20 32:4 33:8  37:22 38:8,10  47:4,15 51:5  60:14  <b>proposing</b> 35:18  <b>protect</b> 14:16  <b>protection</b> 15:6 28:1  <b>protects</b> 14:14  <b>prove</b> 39:4 40:5  <b>provide</b> 15:24 16:5  21:13,15 32:18  57:18  <b>provided</b> 14:12  23:17  <b>provides</b> 26:10  28:20  <b>providing</b> 12:20  <b>public</b> 1:4 2:4 4:13  5:7,10,12,18 6:25  7:6 14:14 23:22  35:3,13,21 37:14  49:7  <b>published</b> 5:18,22  <b>put</b> 16:12 20:9  29:20 31:20 39:19  39:25 45:19 46:8  <b>putting</b> 17:14</p> <hr/> <p><b>Q</b></p> <p><b>qualified</b> 10:21  <b>quality</b> 22:24 44:16  <b>question</b> 45:11  <b>questions</b> 5:15 8:9  45:16  <b>quite</b> 8:2 37:12</p> <hr/> <p><b>R</b></p> <p><b>R</b> 47:17  <b>R-a-y-l-e</b> 57:6  <b>R-e-t-z-l-o-f-f</b> 37:20  <b>R-i-c-h-a-r-d</b> 18:11  <b>R-o-b</b> 42:20  <b>R-o-b-e-r-t</b> 18:21  54:3 56:6  <b>R-o-g-e-r</b> 47:19  <b>RAFT</b> 55:21  <b>raise</b> 6:1,13 7:19  50:15,19,20 54:7  57:17 60:8  <b>raised</b> 14:17 44:1</p>	<p>58:7  <b>rank</b> 35:15  <b>rapid</b> 31:1  <b>rapidly</b> 28:3 40:18  <b>Rapids</b> 5:19 13:7  18:5,12  <b>rates</b> 22:22 27:23  <b>Rayle</b> 4:4 57:3,4,5,5  <b>re-certification</b>  45:13  <b>re-write</b> 58:25  <b>reach</b> 29:4 41:13  <b>read</b> 41:16  <b>reading</b> 22:23  <b>real</b> 45:9  <b>realistic</b> 10:16  <b>realistically</b> 8:13  <b>reality</b> 22:21  <b>realize</b> 8:2 9:8  <b>really</b> 46:8  <b>reapply</b> 56:24  <b>reasonable</b> 32:15  37:15  <b>receive</b> 15:22 29:1  55:21  <b>received</b> 7:4 28:10  <b>recess</b> 50:12  <b>reciprocity</b> 8:19  12:2 15:2,17 16:4  16:23 34:17 40:1  40:4,14 49:24  52:19 55:17,21  56:11,25  <b>recognition</b> 15:2  <b>recognizable</b> 13:18  <b>recognize</b> 15:17  34:17 50:1 57:16  <b>recognized</b> 15:19  16:1 18:14 34:19  35:13 45:23  <b>recognizes</b> 8:13  14:14 32:13  <b>recognizing</b> 16:4  <b>recommended</b> 36:8  38:10  <b>recommends</b> 28:25  <b>record</b> 7:3 12:5  50:17 60:12  <b>RECORDED</b> 1:16  <b>Recorder</b> 1:17  <b>recruitment</b> 10:19  14:24 32:22 54:19  54:25 55:7</p>	<p><b>rectified</b> 22:10  <b>reduction</b> 27:18  <b>redundancy</b> 15:13  <b>redundant</b> 24:3  <b>reference</b> 11:16  <b>regarding</b> 14:10,18  22:11 23:21 56:11  <b>regardless</b> 13:16,19  18:15 35:14 36:22  40:6  <b>regards</b> 14:24  <b>regional</b> 1:11,12  27:13 39:1,19,19  46:19 54:4 57:7  57:15 58:2  <b>Register</b> 5:21  <b>Registration</b> 1:18  <b>Regular</b> 2:4  <b>regulates</b> 39:16  <b>regulatory</b> 1:2 5:5  36:6  <b>relate</b> 5:23  <b>related</b> 26:5,6 28:22  <b>relaying</b> 8:10  <b>remain</b> 60:12  <b>remaining</b> 45:20  <b>remind</b> 50:12  <b>remove</b> 11:16  <b>rendering</b> 24:8  <b>repeat</b> 7:3  <b>repetition</b> 22:24  <b>replace</b> 15:14  <b>replaced</b> 34:16  <b>Replacing</b> 34:21  <b>Reporting</b> 1:17  <b>represent</b> 25:2,22  27:5  <b>representative</b> 8:8  9:5 24:20 49:5  <b>representatives</b>  9:11 59:3  <b>represented</b> 25:16  <b>representing</b> 7:24  18:5 21:25 30:12  32:1 34:10 38:3  40:25 42:18 47:20  50:25  <b>represents</b> 14:7  <b>request</b> 11:23  <b>requested</b> 59:12  <b>require</b> 17:10 34:25  40:18 45:13 56:13  <b>required</b> 5:9 22:12</p>	<p>33:25 35:5,6,21  37:12 55:5  <b>requirement</b> 5:18  12:3 15:10 28:8  54:24 59:23,24  <b>requirements</b> 10:12  10:21 14:10,18  17:9 19:5 28:16  32:8 37:14,15  41:12 46:13 49:9  49:16 55:2,20  <b>requires</b> 23:18  39:14,16 40:3  <b>requiring</b> 11:15  23:11 49:12 59:24  <b>rescue</b> 37:10  <b>rescues</b> 27:21  <b>reside</b> 29:17  <b>residents</b> 12:20  17:16 25:2  <b>resolve</b> 34:22  <b>resources</b> 29:9  <b>respect</b> 25:3  <b>respectfully</b> 11:23  <b>respond</b> 44:15  <b>responders</b> 44:13  <b>responding</b> 47:9  <b>responds</b> 27:20  <b>response</b> 17:21  41:20 42:13 43:8  43:10,12,14,24  50:9  <b>responsibilities</b>  35:15  <b>responsibility</b> 24:5  28:18  <b>rest</b> 17:12 48:21,22  55:25  <b>resulted</b> 28:3  <b>results</b> 46:9  <b>retention</b> 10:19  14:25 32:22 54:25  55:8  <b>retired</b> 33:14 38:24  46:3 58:22  <b>retrained</b> 10:25  <b>retraining</b> 54:19  <b>return</b> 12:1  <b>Retzloff</b> 3:4 37:17  37:18,19,19  <b>review</b> 8:1 14:17  <b>revisit</b> 50:5  <b>Richard</b> 2:12 18:8,9</p>
--	--	---	---	--

18:10	<b>S</b>	43:7,9,11,13,15	36:4,5 45:4 49:16	53:4,18,24 54:7
<b>ridiculous</b> 17:6	<b>s</b> 57:15	43:17,23,25 44:6	59:14	56:8 57:2 58:8
<b>right</b> 10:5 11:22	<b>S-a-h-r</b> 24:17	45:25 46:14,16,24	<b>sets</b> 5:13	<b>speaker</b> 7:12,14
13:23 17:10 21:18	<b>S-c-o-t-t</b> 42:20	47:17,25 48:7,23	<b>seven</b> 44:9	12:4
29:21,22 38:7	<b>S-e-a-l</b> 54:12	49:1 50:7,10,18	<b>Shaking</b> 6:8	<b>speaking</b> 7:8 13:8
43:17 46:21 50:4	<b>S-e-a-n</b> 44:8	50:24 51:15,18,20	<b>shapes</b> 44:24	20:25 33:16 37:13
<b>rise</b> 27:3 32:3 33:7	<b>S-h-a-u-n</b> 12:8	52:1,12,21 53:1	<b>share</b> 6:2 29:7 60:14	41:19 48:11 51:5
33:17 34:5 37:1	<b>S-h-a-w-n</b> 37:6	53:13,25 54:6	<b>Shares</b> 6:4	52:5,7 54:12
38:23 42:23 47:24	<b>S-m-i-t-h</b> 56:6	56:2 57:3,11,24	<b>Shaun</b> 2:7 12:6,7,8	<b>specific</b> 15:1 35:23
48:3 51:13 54:13	<b>S-t-a-c-y</b> 58:4	58:3,6,16 60:5	<b>Shawn</b> 3:3 37:3,4,5	36:8 49:12
<b>rising</b> 48:12	<b>S-t-e-e-b-</b> 43:21	<b>Section</b> 8:22	<b>show</b> 6:2,10 36:19	<b>specifically</b> 19:6
<b>risk</b> 10:21 27:18	<b>S-t-e-v-e</b> 52:3	<b>sections</b> 10:7 12:3	<b>shows</b> 6:6,11 8:16	22:10
<b>risks</b> 32:11 33:4	<b>S-v-o-b-o-d-a</b> 7:23	<b>sector</b> 57:8	<b>sic</b> 25:25	<b>specify</b> 40:4
<b>roadmap</b> 28:21	<b>safe</b> 12:19,19,20	<b>see</b> 6:3,6,7,14 17:24	<b>sidebars</b> 39:11	<b>speed</b> 40:11
<b>Rob</b> 3:10 42:19,20	29:12 31:5 32:18	20:24 21:20 27:8	<b>sides</b> 33:20	<b>spell</b> 7:8 19:15
<b>Robert</b> 1:11 2:13	33:6 42:11 47:13	34:1 38:13,15	<b>signed</b> 11:7	20:19 25:12 40:25
4:1,3 18:19,20	56:1	52:6 56:25 58:7	<b>significant</b> 9:7 14:18	42:3,4 44:6 50:25
53:25 54:1,2 56:2	<b>safely</b> 15:23	59:10	22:7 26:1 38:16	51:15 53:1 58:3
56:3,4,5	<b>safest</b> 32:21	<b>seeing</b> 30:25 50:2,21	<b>similar</b> 53:23	58:16
<b>Rochester</b> 44:4	<b>safety</b> 17:7,8,15,16	<b>sees</b> 8:6	<b>simple</b> 22:10	<b>spelled</b> 13:3 18:3
<b>Roger</b> 3:16 47:18,19	21:16 23:22 29:23	<b>select</b> 7:19	<b>simply</b> 39:18,24	46:3
<b>ROTC</b> 43:22	32:3 35:13 47:5	<b>selection</b> 24:9	56:18	<b>spelling</b> 42:18
<b>round-robin</b> 56:23	<b>safetys-at-risk</b>	<b>send</b> 58:9	<b>single</b> 27:5 28:11	<b>spent</b> 10:1,2,6 12:15
<b>routinely</b> 40:12	44:12	<b>senior</b> 10:23	<b>singling</b> 11:14	55:15
<b>rule</b> 5:11,12,14 15:3	<b>Sahr</b> 2:18 24:14,15	<b>sent</b> 38:9	<b>sisters</b> 20:23	<b>spoke</b> 11:19
20:8 22:11 23:21	24:16,16,17	<b>serve</b> 14:23 20:5,6	<b>site</b> 26:17	<b>spokesperson</b> 14:6
23:24 26:4 27:4	<b>Sault</b> 29:19	27:7,16 31:23	<b>sitting</b> 8:1	<b>spot</b> 40:1
28:20 29:2 34:12	<b>save</b> 22:9	<b>served</b> 27:9,15	<b>sitting-for-submis...</b>	<b>Springs</b> 13:6
35:11 37:22 42:23	<b>saying</b> 10:4 17:18	<b>service</b> 8:7 9:2,21	22:19	<b>squashing</b> 55:13
49:16,19 51:5,6	<b>Schlmeyer</b> 1:11	10:4 11:3 12:13	<b>situation</b> 28:5 33:19	<b>Stacy</b> 4:6 57:24,25
52:5 55:15	<b>school</b> 11:9 43:1	12:18 13:10,12,14	<b>six</b> 9:18	58:1
<b>ruled</b> 23:5	<b>Scott</b> 3:10 42:16,19	13:17 14:12 15:9	<b>skills</b> 22:16	<b>staff</b> 7:14
<b>rules</b> 1:4 5:7,8,24	42:20,20	15:21 18:15 19:25	<b>slowly</b> 7:7	<b>stand</b> 13:8 39:22
6:25 7:17 8:2,6	<b>screen</b> 6:2,3,6,11	20:24 21:1,6,11	<b>small</b> 52:10	46:4,10
9:10,11 10:2,7,8	7:18 50:14	22:2,8 24:18,22	<b>smaller</b> 19:6 52:6	<b>standard</b> 8:23 13:18
10:11 11:1,3,6,16	<b>Seal</b> 4:2 54:9,10,11	25:18,21,22 27:6	55:4,11	13:19 15:20 20:11
11:22,24 12:1	54:12 56:2	27:8,20 28:4 29:4	<b>smart</b> 29:12	21:14 24:10,25
14:9,17,21 15:2	<b>Sean</b> 3:12 44:1,2,3,6	30:18,25 31:23	<b>Smith</b> 4:3 56:2,3,4,5	28:18,24,24 32:7
16:5 20:14 21:11	<b>Searles</b> 1:9 5:3,4 6:5	32:17 33:15 36:25	56:5	32:12,13 34:20
22:9,18 24:6,11	6:9 9:13 12:6,22	38:4 41:11 42:10	<b>Society</b> 7:24 9:24	48:20 59:14,15
25:20,21,23 29:21	12:25 13:25 16:7	44:5,9,9,17,20,21	11:10 22:4	<b>standards</b> 13:12
30:14 32:4,5,17	17:25 18:8,18	44:25 45:2,3,4,14	<b>sole</b> 24:4	15:6 21:11 22:14
32:25 33:7 34:14	19:9,11,13,15	45:17,19,20,21,23	<b>somebody</b> 40:11	23:20,25 31:6,7,8
34:24 35:9 38:8	20:2,15,18 21:21	46:7,12 53:9,11	<b>somewhat</b> 55:1	32:10,25 35:10,22
38:10,23 41:14	24:14 25:8,12	53:20 56:7 58:21	<b>sorry</b> 6:5 13:2 19:18	36:6 45:5,15
42:7 44:24 45:19	26:23 27:2 29:14	<b>services</b> 1:2,5,9,10	20:21 25:13 30:13	<b>stands</b> 21:4 32:8
46:4,10 47:4,15	29:24 30:8 31:12	5:5 7:15 11:13	37:25 38:7	<b>start</b> 25:19 53:10
47:16 48:12 55:16	31:14,16 33:9,11	15:10 44:12	<b>source</b> 36:8	<b>started</b> 8:13
58:11,12,13 60:6	34:7 36:13 37:3	<b>serving</b> 54:17	<b>Southfield</b> 42:23	<b>state</b> 1:1 8:25 9:22
60:9,10,14	37:17,23 38:5,18	<b>sessions</b> 10:4 11:20	<b>speak</b> 6:16,22 7:7	10:9,18 11:5,8,19
<b>run</b> 59:7	38:20 40:22,24	<b>set</b> 5:11,14 10:20	7:10 9:17 12:10	14:5,6,8 16:18
<b>rural</b> 26:19 29:6	41:7,15,19,21,23	27:5 28:15,20	19:19 24:21 37:21	19:13,15 20:8,12
	42:3,12,14,17	29:2 34:12 35:25	50:11 51:24 52:10	20:14,18 21:1

<p>25:16 26:15 27:13 28:5,21 30:16 31:6,24 32:9,14 32:19 35:8,18 36:3 38:14 39:1 40:1,1,2,2,3,24 41:5 44:10 46:6 46:12 47:3,8 48:19 49:24 50:24 53:3,19 55:10,18 56:16,21,24 59:23 <b>state's</b> 29:8 <b>statements</b> 6:23 <b>states</b> 10:19 30:4 35:11 45:12 <b>statutory</b> 5:17 <b>stay</b> 31:4 40:19 42:10 48:19 <b>stays</b> 56:1 <b>Ste</b> 29:19 <b>Steeby</b> 3:11 43:16 43:19,20,20 <b>steel</b> 57:9 <b>step</b> 13:22 29:22 46:21 57:17,22 <b>Sterling</b> 16:20 30:1 37:7,10 <b>Steve</b> 2:24 3:22 31:17,18 52:2,3 <b>Steven</b> 31:21 <b>Stokes</b> 1:11 <b>stopped</b> 7:12 <b>strategy</b> 47:13 <b>strip</b> 56:20,21 <b>stripping</b> 56:23 <b>strive</b> 21:8 <b>strives</b> 14:11 <b>strong</b> 57:21 <b>strongly</b> 17:17,17 <b>structure</b> 27:21 <b>struggling</b> 10:19 19:3 <b>student</b> 23:1,2,13,13 23:16 39:17 <b>student's</b> 22:20 23:16 <b>students</b> 22:21 23:5 23:8,14 57:19 <b>styles</b> 23:17 <b>submitted</b> 7:1 18:24 <b>suburban</b> 29:6 <b>success</b> 22:20 <b>successful</b> 23:6</p>	<p>32:24 <b>successfully</b> 23:18 <b>sufficient</b> 35:19 <b>support</b> 9:11 10:14 12:12 13:8,11 16:25 17:17,18,23 18:7,14,23 20:8 20:14 21:3,18 24:21 27:3 29:21 30:7,14 31:11 32:4 33:7,17 34:5 36:17 37:2,13,21 38:23 40:17 41:6 41:13 42:2,6,23 46:4,10,22 47:4 47:14,24 48:3,12 51:5,13,25 52:8 53:4,18,24 54:5 57:16 58:5 59:1 60:3 <b>supporting</b> 45:6 <b>supports</b> 9:10 <b>sure</b> 8:3 10:24 20:21 32:19 46:11 59:19 <b>surviving</b> 32:21 <b>Svoboda</b> 2:5 7:21,22 7:22 <b>swallow</b> 30:19 <b>swung</b> 36:23 <b>synthetic</b> 28:2 <b>system</b> 34:22</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>T-a-y-l-o-r</b> 58:4 <b>T-h-o-m-a-s</b> 30:12 <b>T-i-m-o-t-h-y</b> 54:12 <b>T-r-a-c-y</b> 20:22 <b>TABLE</b> 2:1 <b>tactics</b> 47:13 <b>take</b> 5:24 23:9 39:23 50:11 <b>talk</b> 8:18 50:19 55:9 <b>talked</b> 59:22 <b>talking</b> 8:9,12 <b>Task</b> 37:11 <b>taught</b> 11:9,10 <b>Taylor</b> 4:6 57:24,25 58:1,1,4 <b>teach</b> 40:8,8 <b>teacher</b> 43:1 <b>teachers</b> 59:25 <b>teaching</b> 28:15 30:16</p>	<p><b>team</b> 37:10 <b>technical</b> 37:9 <b>technician</b> 37:11 <b>technology</b> 29:3,8 31:1 <b>telephone</b> 6:19 <b>tem</b> 27:16 <b>ten</b> 27:11 45:10 47:22 <b>ten-minute</b> 50:12 <b>Tennessee</b> 36:18 <b>test</b> 26:9,20 39:9 <b>testimony</b> 14:9 <b>testing</b> 22:14 23:7 23:19 26:13,17 40:12 <b>testing-for-</b> 22:18 <b>thank</b> 7:25 9:12,13 9:16 12:3,21 13:4 13:5,23 14:2 16:6 16:10 17:24 18:7 18:8,17,18,20 19:8 20:1,2,14,15 21:19 22:6 24:13 25:7 26:22 29:19 29:23 30:7 31:19 31:19 33:18 34:5 34:6 36:12 37:2 37:16,22 38:17,19 38:22 40:21 41:6 41:7,14,15 42:4 42:10 43:6,7,23 45:24 46:5,13,22 46:24 47:15,16,25 48:6,22,23 50:6 51:18,19,25 52:1 52:11,12,20 53:12 56:5 57:1,10,11 58:5,6 60:4 <b>thanking</b> 25:19 <b>thanks</b> 60:15 <b>theory</b> 54:22 <b>thing</b> 17:4 30:20 49:21 <b>things</b> 8:11 26:6 30:21,24 31:1 49:7 <b>think</b> 8:15 12:17 19:21 20:11 24:22 29:21 30:4,14,17 31:10 32:13,18 33:8 35:25 45:22 46:11 47:23 48:18</p>	<p>49:11,16,17,18,24 50:4,5 52:9 55:17 55:20,23 <b>thinking</b> 26:2 <b>Thomas</b> 2:23 30:8,9 30:10,11 <b>three</b> 5:19 7:11,12 28:7 29:10 30:3 36:10 40:20 <b>three-minute</b> 7:13 <b>tied</b> 40:4 <b>time</b> 6:17 8:3,5 9:17 9:25 10:6 12:3,15 13:5,23,24 15:20 16:6 19:23 20:13 20:13 21:9,19 23:6,12 25:7 26:2 27:12 28:3 32:10 33:8 34:6,20 35:11 36:24 37:2 40:21 41:12 43:6 45:23 46:22 47:2 47:10 48:4,22 50:11 52:20 53:8 54:18 55:23,25 57:10 58:12,13,23 59:2,6,6,11,12 60:9,11 <b>Timothy</b> 4:2 54:10 54:12 <b>today</b> 5:6 6:24 7:3 7:24 9:17 13:7 14:5 18:6,22,22 20:24 21:20 22:1 24:21 27:3 34:10 45:11 53:8 57:2 60:13 <b>Today's</b> 27:19 <b>tolerated</b> 28:13 <b>tool</b> 36:7 <b>tools</b> 14:15 <b>top</b> 32:18 53:23 <b>totality</b> 39:6,7,14 <b>touch</b> 49:21 <b>touched</b> 36:22 <b>Township</b> 33:16 34:11 52:4 <b>townships</b> 15:24 <b>track</b> 50:4 55:12 <b>Tracy</b> 2:16 20:15,16 20:20,21,21 <b>trade</b> 25:1 45:4 <b>tradition</b> 45:21</p>	<p><b>Traditional</b> 29:4 <b>Tragically</b> 28:6 <b>train</b> 10:5,5 17:12 <b>trained</b> 10:25 30:15 32:20 40:10 49:9 <b>training</b> 1:3 5:8 7:17 10:1,12,21 11:20 12:1,2,10 12:20 14:10,12,18 15:13,22 17:2,5,7 17:11,11,15,17,20 18:14 19:5 20:12 22:1,5 24:22 25:5 25:24 26:3,8 27:4 27:11,17 28:11,16 28:22,25 29:3,23 30:6 31:3 32:6 33:22,25 34:4 35:10 36:8 39:1 39:19 44:11,16 45:6 46:6,19 47:3 47:6,11 48:17,20 51:8,8,24 52:8,9 52:24 53:17,22 54:4,16,20,24 55:2,5,19,24 57:7 57:15,18,18 58:2 <b>trainings</b> 59:17 <b>transform</b> 45:3 <b>Transform</b> 59:7 <b>treat</b> 11:3 <b>truck</b> 36:22 <b>true</b> 16:24 <b>truly</b> 53:11 <b>trustee</b> 20:7 <b>try</b> 6:6 50:8 <b>turn</b> 50:20 54:7 60:8 <b>two</b> 36:5,6 <b>type</b> 45:16 <b>types</b> 17:21</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>ultimately</b> 17:16 <b>ultra</b> 27:18 <b>ultra-hazardous</b> 30:24 <b>un-mute</b> 12:22 37:25 42:12,15 43:9,11,13 48:24 <b>un-muted</b> 6:16 <b>unable</b> 58:8 60:7 <b>unacceptable</b> 28:9</p>
---	--	---	---	---

<b>unachievable</b> 10:20 <b>unavoidably</b> 27:19 <b>unclear</b> 8:22 56:17 <b>understand</b> 27:14 54:22 <b>understanding</b> 11:7 11:13 <b>undoubtedly</b> 33:21 <b>Unfortunately</b> 45:14 <b>unfunded</b> 55:10 <b>unimpeded</b> 45:22 <b>union</b> 9:21 16:22 20:7 31:25 32:3 54:18 <b>unique</b> 33:19 <b>United</b> 10:19 <b>universally</b> 50:2 <b>UNKNOWN</b> 12:4 41:18 <b>unnecessary</b> 23:12 <b>unqualified</b> 24:9 <b>unreasonable</b> 51:10 <b>up-to-date</b> 47:11 <b>updates</b> 57:10 <b>updating</b> 51:8 <b>Upper</b> 29:18 52:18 59:10 <b>Urban</b> 29:6 <b>use</b> 6:1 26:14 60:7 <b>utilized</b> 26:9 <b>utmost</b> 30:4	<b>views</b> 18:5 48:11 <b>villages</b> 15:24 <b>virtual</b> 23:5 <b>visual</b> 22:22 <b>vital</b> 54:21 <b>Vogt</b> 3:5 37:23,24 37:25 38:1,7 <b>volume</b> 33:24 <b>volunteer</b> 10:10,14 10:17 13:16 17:6 18:15 19:1 20:13 24:24 25:7 32:10 35:5,11 37:1 44:15 47:10,22 48:15 49:22 52:6 57:8 59:9 <b>volunteers</b> 10:10 59:21 <b>vote</b> 9:10 31:11 <b>voted</b> 16:16 17:1 59:4 <b>votes</b> 9:9 <b>vouch</b> 40:7	<b>well-trained</b> 10:14 <b>went</b> 59:14 <b>whatsoever</b> 17:11 <b>whittled</b> 8:14 <b>wholeheartedly</b> 18:13 50:4 57:9 <b>wholehordidly</b> 18:13 <b>wife</b> 43:1 <b>win</b> 8:16 <b>wish</b> 6:21,22 52:10 55:6 58:10,11,12 60:5,9,10,14 <b>wishes</b> 7:16 50:11 <b>wishing</b> 5:25 <b>wonderful</b> 22:11 <b>work</b> 11:20 16:10 27:12 29:20 31:20 32:23 39:23 46:8 47:7 51:3,7 <b>worked</b> 26:16 33:19 48:15 57:22 59:18 <b>working</b> 24:18 30:3 36:20 53:21 <b>works</b> 8:16 55:11 <b>world</b> 44:11 <b>worth</b> 55:13 <b>writing</b> 7:2,4 <b>written</b> 6:23 11:25 22:13 23:19 32:12 37:15 41:6 46:4 46:10,13,20 47:24 48:12 52:9 56:8 57:1 59:1 60:3,4 <b>wrong</b> 10:6,8	<b>yield</b> 13:23 48:22 55:25	<b>29</b> 2:21,22 23:7 51:4 <b>29.403</b> 8:22 <b>29.404</b> 15:3 34:12 <b>29.405</b> 22:11 <b>29.418</b> 23:21 35:11 <b>291</b> 13:8,22 15:16 35:3,21 37:14 47:4 49:7 58:25
<hr/> <b>V</b>	<hr/> <b>W</b>	<hr/> <b>X</b>	<hr/> <b>Z</b>	<hr/> <b>3</b>
<b>V-a-u-g-h-t</b> 29:17 <b>V-o-g-t</b> 38:1 <b>vague</b> 28:16 <b>value</b> 24:11 34:2 <b>varied</b> 23:7 <b>varies</b> 23:13 <b>variety</b> 22:21 <b>various</b> 31:23 56:19 <b>varying</b> 22:23 <b>Vaught</b> 2:21 29:14 29:15,16,16 <b>vehicle</b> 27:21 55:3 <b>verbal</b> 41:20 42:13 43:8,10,12,14,24 50:9 <b>verbally</b> 7:12 <b>vice</b> 31:24 <b>video</b> 1:6 5:1,25 6:4 6:19 50:13	<b>washtenaw</b> 32:1 <b>wasn't</b> 55:19 59:16 <b>water</b> 27:21 <b>waters</b> 49:25 <b>Watts</b> 3:21 51:20,21 51:22,23 <b>way</b> 16:14 23:11 31:1 32:12,24 33:1,4,5 39:20 56:25 60:3,4 <b>Wayne</b> 32:1 42:21 43:21 <b>ways</b> 22:21 <b>we'll</b> 50:11 <b>we're</b> 35:21 44:12 50:2,4 55:10 <b>we've</b> 8:14,25 49:25 50:5,22 <b>Wednesday</b> 1:7 5:2 <b>well-rounded</b> 44:25	<hr/> <b>Y</b>	<b>Zoom</b> 1:6 5:1,17 6:1 7:1	<b>30</b> 2:23 28:10 31:23 41:11 44:9 47:3 <b>30-plus</b> 48:13 <b>30,000</b> 10:8 <b>31</b> 2:24 <b>3213</b> 43:11,15 <b>33</b> 2:25 33:15 <b>34</b> 3:1 58:22 <b>350</b> 28:6 <b>36</b> 3:2 <b>37</b> 3:3,4,5 <b>38</b> 3:6
<hr/> <b>0-0-0-</b> 60:20 <b>0075</b> 41:17,18 <b>0286</b> 42:15 43:9	<hr/> <b>0</b>	<hr/> <b>1</b>	<hr/> <b>0</b>	<hr/> <b>4</b>
<b>1</b> 4:12 37:11 60:17 <b>1-800-632-2720</b> 1:18 <b>1,883</b> 14:7 <b>100</b> 16:25 17:20,23 <b>11:00</b> 1:7 5:2,16 <b>1100</b> 32:2 <b>12</b> 2:7 29:2 33:2 35:16,25 <b>12:19</b> 50:16 <b>12:37</b> 60:18 <b>122</b> 28:6 <b>13</b> 2:8 10:12 <b>14</b> 2:9 <b>150</b> 10:3 <b>16</b> 2:10 <b>18</b> 2:11,12,13 <b>19</b> 2:14 43:1 <b>1970's</b> 27:24 <b>1st</b> 5:21,22	<hr/> <b>1</b>	<hr/> <b>2</b>	<hr/> <b>1</b>	<hr/> <b>5</b>
<b>2</b> 60:17 <b>20</b> 2:15,16 24:18 47:23 <b>200</b> 28:25 45:21 <b>2014</b> 36:18 <b>2019-21</b> 14:10 <b>2020</b> 28:5 <b>2021</b> 1:7 5:2,17,21 5:22 <b>21</b> 2:17 <b>21st</b> 45:24 53:9 <b>22</b> 42:22 <b>23</b> 27:9 <b>24</b> 1:7 2:18 5:2 <b>24th</b> 5:17 <b>25</b> 2:19 9:19 22:6 <b>26</b> 2:20 <b>2701</b> 43:7,7	<hr/> <b>2</b>	<hr/> <b>3</b>	<hr/> <b>2</b>	<hr/> <b>6</b>
<hr/> <b>3</b>	<hr/> <b>3</b>	<hr/> <b>4</b>	<hr/> <b>3</b>	<hr/> <b>7</b>
<hr/> <b>4</b>	<hr/> <b>4</b>	<hr/> <b>5</b>	<hr/> <b>4</b>	<hr/> <b>8</b>
<hr/> <b>5</b>	<hr/> <b>5</b>	<hr/> <b>6</b>	<hr/> <b>5</b>	<hr/> <b>9</b>
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<hr/> <b>7</b> <hr/> <b>7</b> 2:5 <b>70</b> 15:7 <b>7028</b> 43:23 <b>731</b> 30:13 <b>74</b> 10:24 49:9 <hr/> <b>8</b> <hr/> <b>8151</b> 1:18 <b>86</b> 10:9,11,17 <hr/> <b>9</b> <hr/> <b>9</b> 2:6 <b>9162</b> 41:21 42:12 <b>9214</b> 1:16				
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# SUPPORT

SUPPORT					
	Name	Title	Organization	Comments	Exhibit
1	Adam Pielecha	Lieutenant	Redford Twp. Firefighters & President IAFF L1206	To whom it may concern, I am writing a short note to advise you that I and my department support these proposed rule changes. Thank you, Lt. Adam Pielecha President IAFF L1206 Redford Twp. Firefighters	
2	Adam Tiefenbach		Muskegon Fire Department	To whom it may concern, This email is to voice my support for the proposed rule changes. Adam Tiefenbach	
3	Alfie Green	Chief of Training	City of Detroit Fire Department	Greetings All, First of all, I would like to thank everyone involved with updating 1966 Public Act 291. I agree with the idea that fire service personnel should have minimum educational requirements to maintain all certifications. These rule changes attempt to set a minimum standard for all disciplines. We should move forward with adopting these rules changes. Alfie L. Green, M. Ed Chief of Training City of Detroit Fire Department Training Division	
4	Amy Dunn	Firefighter / Medic / EMS	Riverview Fire Department	I highly support the new rule changes and updates. I just have a few clarification questions. 1. What is your definition of hazardous materials responder(part 5(c)(v)? Is it beyond the ops taught in the academy? 2. A officer who is an instructor and inspector will have to have how many total CE's for a 3 year renewal? 3. Can the MFIS credits be used for section 5(c)(ii) of R29.418? Amy Dunn Fire Prevention and Community Relations Coordinator FF/Medic/EMS-IC NFPA CF11 & CFPE Fire Instructor II Riverview Fire Dept	
5	Andrew Gibson	Firefighter	Bloomfield Township Fire Department	To whom it may concern, I am a current full time firefighter with Bloomfield Township Fire Department and I am in support of the proposed rule changes. Thank You, Andrew Gibson	
6	Bill Pawluk	Fire Science / Academy Coordinator	Lansing Community College - Regional Fire Training Center	Dear MFFTC and Michigan Fire Service, I would like to support the current draft of the rules put forth by the MFFTC. As a Michigan Fire Service professional for over 30 years and a Master Instructor for the IAFF I would like to share my professional experience and opinion. Travelling across the US and Canada teaching fire ground survival techniques I have had the opportunity to observe and interact with other states and their training divisions. It is my professional opinion that in comparison to other states across our great nation we, the State of Michigan fire service, lags behind most other states. It is my opinion that these proposed rules will further advance Michigan in comparison to the rest of the country. I greatly appreciate the work that the training council and fire marshal has done on this project. It is my opinion that Michigan fire fighters are some of the best fire fighters in the country and have tremendous capacity. It is my opinion, that these rules will allow Michigan fire fighters reach their full potential and enhance the Michigan Fire Service as a whole. Respectfully, Bill Pawluk Fire Science / Academy Coordinator Lansing Community College Regional Fire Training Center	
7	Bob Hoffman	Firefighter	Midland Fire Department & Treasurer L1315	I support the rule changes proposed by the Fire Fighters Training Council Bob Hoffman Fire Fighter/Technical Rescue/Treasurer L1315 Midland Fire Department	
8	Brandon Heath	Firefighter	Armada Township Fire Department	Hello, My name is Firefighter Brandon Heath, with the Armada Township Fire Department. Currently residing at 56810 Inland Ct, Macomb, MI 48042. I am sending this email in support of the above listed changes in administrative rules. Any consideration is greatly appreciated, Brandon E Heath	
9	Brenda Glore	Lieutenant	Egelston Fire Department	Please know that as a Fire Instructor I support the proposed rule changes. Lt. Brenda Glore, Egelston Fire Department	
10	Brian P. Kazmierzak		Benton Harbor Department of Public Safety	To Whom It May Concern: I am sending this email to voice my support for the Firefighter Training Administrative Rules Public Comment on behalf of the Benton Harbor Department of Public Safety, Benton Harbor, MI, Berrien County. These rules represent the modernization of the Michigan Fire Service as well as a huge step forward in firefighter training, firefighter safety and Line of Duty Death reduction. As Firefighters we rely on our training, we rely also on the training of other firefighters to be to the same standard as ours. Due to mutual aid there are very few FDs in the state that operate alone. Standardized training is a must. Additionally these rules require that our training be to the most current NFPA standard. That is a good thing, since it requires us to be constantly updating our training. Another part of these rules are training requirements for Chief Officers, etc. Why would any department want someone leading the organization trained at the basic level. As we move thru the ranks, we must advance our training and education. The best part of the new rules are the required continued education of firefighters, fire officers and fire instructors. No other profession allows for someone to be trained once and never re-certified. So this rule brings the fire service into the modern era. Please do the right thing for the Michigan Fire Service and enact these rules. Keep in mind a Firefighter in the State of Michigan trained to the Firefighter I/II standard only requires 240 hours of training, but we require a Barber to receive 1800 hours of training. Who has more at stake? Please enact these rules! Brian P. Kazmierzak Benton Harbor Department of Public Safety	
11	Christopher Keller	Lieutenant / Fire Marshal	Grand Blanc Township Fire Department	To whom this may concern, My name is Christopher Keller. I live at 6087 E. Hill Rd, Grand Blanc, Michigan 48439 and I am the Fire Marshal and a Lieutenant with Grand Blanc Township Fire Department. I am also the President of the Grand Blanc Professional Firefighters IAFF L4962. I am writing today on my own behalf to show support for the proposed rule changes to the required training rules for the State of Michigan. Our job as firefighters, regardless of career, part time or volunteer, is dangerous and it is our responsibility to ensure our firefighters are trained properly and efficiently to ensure they go home to their families after their shift or call. The fire service has seen changes in types of construction and methods to extinguish fire which has resulted in change on how we train to do our jobs. Training is where safety starts and I feel that there should be no room for short cuts. I understand for many smaller rural departments there is a concern about a financial burden the new rules may require, however, why should they be held to a different standard because they are not career. The job is the same and so should be the training. I began my career as a paid on call firefighter in a small rural area that ran approximately 70-100 calls in a year. This means we were not as efficient in our tactics as a department that might experience a higher frequency of calls, which in my opinion, is all the more reason for change to ensure that firefighters are proficient to do the job safely. I would like to also thank everyone's time and effort involved to ensure the safety of the firefighters of the State of Michigan. Thank you for your time, Christopher Keller Fire Marshal/Lieutenant IAFF L4962 President Grand Blanc Township Fire Department	
12	Dan Oleniczak		City of Muskegon Fire Department	To whom it may concern, I am writing this email to voice my support for the proposed rule changes. Dan Oleniczak	
13	Darin Balinski		Oxford Fire Department	I, Darin Balinski, support the proposed changes. Oxford Fire Department, 24 yrs of service. L4763	

# SUPPORT

	Name	Title	Organization	Comments	Exhibit
14	Dave Papandrea	Lieutenant	Birmingham Fire Department	To whom it may concern, I support the important and valuable changes to the Fire Fighters Training Council thus bringing the rule set in line with current law. Dave Papandrea Lieutenant- Birmingham Fire Department	
15	David Van Slooten		Muskegon Fire Department	To Whom it May Concern, I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set. David Van Slooten Muskegon Fire Department	
16	Donald Bigger	President	Michigan Fire Service Instructors Association	I would like to submit the attached letter of comments for the Fire Fighter Training-Administrative Rules Public Comment hearing of March 24, 2021. Thanks You Donald Bigger/President Michigan Fire Service Instructors Association	2
17	Dustin Hennessy	Engineer / Paramedic	City of Marquette Fire Department	Good Afternoon, I am Dustin Hennessy and an Engineer/Paramedic. I work for the City of Marquette Fire Department located at 418 S. Third, Marquette MI 49855. I am in strong support of the proposed rule changes. Continuity in the fire service is long overdue in the State of Michigan. We are a career fire department that has several mutual aid agreements in place with surrounding volunteer/paid on call departments. Those department should be held to the same standard as any other department, as those chiefs and officers have the same responsibilities to their members as we do. Everyone should expect that their Chiefs and Officers have the proper training to do the job safely and effectively, these rule changes will ensure that happens. I would like to thank you for your time today and your hard work with these important changes. Dustin Hennessy City of Marquette Fire Department Engineer/Paramedic	
18	Frankie Cruz	President	Local 2629	This email is to let inform the Fire fighting training council know that I am in favor of the proposed rule changes that are being discussed today. I hope that through discussion that these rule changes will be accepted and implemented. Thank you for taking time to read, and have a great day. Frankie Cruz President Local 2629	
19	Harold Elmore, Jr.	Lieutenant	Grand Rapids Fire Department	I am "supporting" the proposed rule changes. Lt. Harold Elmore Jr. GRFD	
20	James Smielewski	Lieutenant / Training Officer	Traverse City Fire Department	Michigan Bureau of Fire Services, My name is James Smielewski. I am currently a Lieutenant and the Training Officer with Traverse City Fire Department. I have been in the fire service for a little over 30 years now, serving every community I have lived in, including my military service in the Marines in North Carolina. I have been a volunteer, paid on call, and for the last 16 years, a career firefighter and fire officer. I also held the position of training coordinator for Suttons Bay/Bingham Fire & Rescue, a small combination department in Leelanau County. The Rules as I read are not perfect but are a much needed improvement. Reciprocity - This has been an issue for firefighters, both coming to and leaving Michigan, as our standards are not on par with many other states. This is a good step forward and I support this portion of the Rules as written. Continuing Education - This has been unnecessarily feared for quite some time. If a firefighter has an EMS license, they should understand the need for documented CE. The Rules requiring only 6 hours per year and 36 in 3 years is, quite honestly, a very low standard. Having been involved with administering a training program in 2 very different departments, I know how these changes can be perceived by the volunteer fire service. Again, these Rules create a very low standard that all department should easily achieve. I see the Rules as giving "teeth" to the volunteer chief to hold members accountable for meeting training requirements. My only question is, does this meet the Part 74 requirements? I also agree with the Rules to require course attendance for certification training course. Having taught FF I&II at an RTC for a number of years, I found most "challenging applicants" performed inadequately during the final practical testing and did not receive the benefit of the course instructors' experiences. I support the Rules as written. Thank you for taking the efforts made to update and upgrade the fire service in the State of Michigan. James Smielewski LT/Training Officer Traverse City Fire Dept	
21	Jeff Brady		Midland Fire Department	To Whom this may concern, I, Jeff Brady, of the City of Midland Fire Department am supporting the proposed rules changes. The proposed rule changes will make the fire service safer in Michigan. We owe it to ourselves and the communities we protect to require continued training. Thank You, Jeff Brady	
22	Jim Daveluy		Midland Fire Department	To whom it may concern, I support the changes to Firefighter Training as I believe they will bring more professionalism and safety to the fire service. Thanks, Jim Daveluy Midland Fire Department	
23	Jim Yuill	CSP, CFPS, EMT I/C, Fire Instructor II		Good Afternoon, My name is Jim Yuill. I am from Livonia, Michigan and am representing myself. I would like to provide my feedback on the proposed adoption of the above mentioned rules. For the past 28 years, I have been involved in the Fire Service here in the State of Michigan, 24 of those years as a Michigan Fire Service Instructor. In this time, I have seen the Fire Service evolve from just an agency that responded to emergency medical runs and fires to now being a part of an all-hazards risk mitigation group. With this evolution occurring, a better trained and educated firefighter and fire officer is essential for ensuring health and safety of not only fellow firefighters and themselves, but the community as a whole. This profession is specialized that requires continual maintenance of requisite skills to make sure that the mission of safe risk mitigation is carried out properly. With maintaining requisite skills, expectations as to how we complete maintenance of such is necessary. While I understand there is some disagreement in how this new rule will work and be carried out, this comes from those who have a level of "change anxiety." Change is painful but necessary to implement for continual improvement in presented circumstances. Any new process or procedure always comes with some level of "change anxiety" but all in all, these anxiety stressors are alleviated over time with successful development/implementation of rules and expectations and for one to become creative with resource management. Speaking as a Michigan Fire Service Instructor as well as a senior level manager within the Safety/Risk Management arena (my full time job) , I fully support the presented rules, as written, and I do believe that the proposed changes will allow for a better well rounded Fire Service member going forward, allow for better community risk reduction, as well as allow for fire service educators to become more creative in managing training resources effectively and efficiently. I am happy that we are now adopting a new continuous improvement mindset when it comes to providing education and training for the State's 30,000+ Fire Service members. Thank you in advance for your time and consideration and appreciate the opportunity to comment. Respectfully, Jim Yuill, CSP, CFPS, EMT I/C, Fire Instructor II	
24	John H. Newman	Fire Inspector	East Lansing Fire Department	I support the proposed rule changes. John H. Newman, East Lansing Fire Department	

# SUPPORT

	Name	Title	Organization	Comments	Exhibit
25	John R. Kramer	Fire Chief	Monitor Township Fire Department	I am addressing this e-mail to show my support for the rules for the new PA 291. I support the continuing education requirements as training is essential in the fire service. A the fire chief of a combination fire department I feel one hour a month is not a burden nor going to cause detriment to any department in the State of Michigan. It is my understanding that MIOSHA attended a MFFTC meeting and agreed that having continuing educations hours aligns with MIOSHA requirements. A lot of work has been put into this and I feel it is time to move forward. Having requirements for all members of the fire service is needed and should include chief officers. Retention is a major problem with most departments in today's fire service. Dumbing down our training requirements is leading a path to disaster and the injury or death of a firefighter. I am not in favor of the old way of just teaching to pass the test. The rules spell out exactly what you need to obtain your certification as a firefighter in the State of Michigan. I cannot justify just teaching a student attending the FFI&I/HAZMAT/OPS academy virtually. Without the hands on and interaction with the instructor you get a poorly trained foregather and again it is a path to disaster. Therefore I support the rules and support moving forward. Sincerely, Chief John R. Kramer Monitor Township Fire Department Bay County Michigan	
26	Jonathan Stone	Training Officer	Stanton Township Volunteer Fire Department, Precinct 1	Good afternoon. Please find my comments for the MFFTC proposed rule changes attached to this email. Thank you for your consideration. Jonathan Stone Training Officer Stanton Township Volunteer Fire Department, Precinct 1	3
27	Justin Britton		Midland Fire Department	I support the proposed rule changes. Justin Britton Midland Fire	
28	Justin Fox	Firefighter	Midland Fire Department & Vice President L1315	I support the rule changes proposed by the Fire Fighters Training Council. Justin L. Fox Fire Fighter/Vice President L1315 Midland Fire Department	
29	Justin Holmes	Firefighter	Grand Rapids Fire Department	I Justin Holmes stand in support of Public act 291 as written. I was unable to speak during the public hearing, as the mute function was locked by the organizer. Justin Holmes	
30	Kevin Christiansen	Chief of Training	City of Lansing Fire Department	I support the proposed Rule Changes. Kevin Christiansen Chief of Training Fire – Training Division	
31	Kevin Retzlöff		Midland Professional Firefighters Union L1315	To whom it may concern, I am writing to express my support in the current proposed rule changes for firefighters. Kevin Retzlöff Midland Professional Firefighters Union L1315	
32	Kyle Lewis	Firefighter	Northville Township Fire Department	My name is Kyle Lewis from the Northville Township Fire Department. I live at 7844 Capri Dr, Canton, MI 48187. I want to express support for the purposed rule changes and gratitude to those who spent hours and hours during these hard times to develop a better system for us. Please adopt the changes. Thank you, Kyle Lewis	
33	Larry Gambotto	Captain	Rochester Hills Fire Department	To whom it may concern, Please accept this email as a show of support for the proposed changes to the Michigan Fire Fighters Training Council rule set. As a resident of Macomb County, and a Fire Department Training Officer in Oakland County, I believe the updates to the rule set are a leap forward for the Michigan Fire Service and will finally bring us in line with the National Standards. Thank you. Respectfully, Larry Gambotto Captain - Training, Health & Safety Rochester Hills Fire Department	
34	Logan Sweet		Muskegon Fire Department	To Whom it May Concern: I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set. Logan Sweet Muskegon Fire Department	
35	Lucas Golden	Firefighter	Dearborn Heights Fire Department	To whom it may concern, I support the rule changes proposed for the Fire training council. Thank you, Lucas Golden Firefighter for Dearborn Heights,Mi	
36	Mark J Guerra Jr		City of Rochester Fire Department	I am supporting the proposed rule changes Mark J Guerra Jr City of Rochester Fire Department	
37	Matt Nowiski		City of Owosso Fire Department	I am in full support of the proposed rule changes Matt Nowiski City of Owosso Fire Department	
38	Matt Wyszczelski	Captain	Hamtramck Fire Department	I am writing to show my support for the proposed rules change. I believe that training is essential to our job and these proposed changes are long overdue. Captain Matt Wyszczelski Hamtramck Fire Department	
39	Matthew Adamek	HSO, IIC, CO3	Grand Traverse Metro Fire Department	This rule change is long over due. This is about the safety of our firefighters and the community we serve. It is time to hold the department political leaders and chiefs accountable to a standard. In the past I have seen how the lack of training by firefighters and command staff lead to dangerous and unsafe conditions. I have seen a chief with his most current officer training was from 1970s. I have seen officer in charge of firefighters with no leadership training at all and the last suppression training they had was from the old 66 hour course. That was almost 30 years ago. There are department that put practical training on the bottom of the priority list, where some firefighters might not pick up a firehouse in almost 2 years. Some places still elect fire chief and officers. Some of these firefighter are put in these position by their buddies ( Good Old Boys) and not by their qualifications. This is what is broke with the Michigan fire service. There is no reason why any firefighter career or volunteer is unable to meet the proposed training updates. You need to be dedicated, work hard and be proficient in the fire service because someone is depending on you to be. I could go on for hours about this and things I witness why this rule is important. Any questions please contact me. Thank You Matthew Adamek HSO, IIC, CO3 Grand Traverse Metro Fire Dept. Traverse City, MI	

# SUPPORT

SUPPORT					
	Name	Title	Organization	Comments	Exhibit
40	Michael Becker	Firefighter/Paramedic	Highland Township Fire Department	To whom this concerns; I, Michael Becker have been a firefighter in this state since 2001 and I am in support of the proposed rule changes. I am a professional Firefighter for the Highland Township Fire Department. Sincerely, Michael Becker - Firefighter/Paramedic Highland Township Fire Department	
41	Michael Hertzberg	Firefighter	Grand Blanc Township Fire Department	To whom this may concern, My name is Michael Hertzberg. I live at 6022 Berrymoor Dr, Grand Blanc, Michigan 48439 and I am a full time firefighter at Grand Blanc Township Fire Department. I would like to express my support for the proposed rule changes to the required training of our State of Michigan Firefighters. The job that we have, whether career, part time or paid on call is not an easy job. WE are constantly facing new challenges that stem from a changing world around us. Building construction is not the same as it was 20 years ago, materials within the home are not the same as they were 20 years ago, our equipment is not the same as it was 20 years ago. Why should certifications and licensing be the same as it was 20 years ago? I have witnessed former members of departments get back on a department after 10+ years and get right back to the job with no new training or requirements. This is a scary event to me. While I understand that presently our Firefighter 1&2 do not expire, it should not mean that continued education is unnecessary. I am in full support of requiring continuing education credits in order to keep our certifications up to date. I do not know of a hands on licensing in the state that does not require this. As a Certified Fire Inspector, I am required to complete at least 20 CE's annually to maintain my license. Firefighting should be no different. I understand that there may be budget impacts for smaller departments that lack funding for training. It may take extra time for us as firefighters to get training completed. Ultimately, that expense and commitment will make us all safer. Ultimately, our goal as a firefighter is to go home to our families at the end of every shift. Please help us all improve these chances by requiring us and those around us to maintain training credits on an annual basis and support the Training Council Rules before you. Best Regards, Michael Hertzberg Firefighter/Fire Inspector IAFF Local 4962 Vice President Grand Blanc Township Fire Department	
42	Michael Hewartson	Lieutenant/EMS Coordinator	Muskegon Fire Department	To Whom it May Concern: I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set. These rule changes are critical and will help to ensure firefighter and civilian safety. Thank you. Michael Hewartson (Lieutenant/EMS Coordinator, Muskegon Fire Department)	
43	Michael J. Sarnowski	Firefighter / EMT-B	Bangor Township Fire Department	To Whom it may concern, My name is Michael Sarnowski and I am writing you in favor of the proposed changes to the rules for the Michigan Firefighters Training Council. I Feel that these rules will better the departments of any type all over the state. In my 20+ years of firefighting from a paid on call to full time career the fire service has had a lot of changes. We in the fire service respond to a lot more diverse calls now than ever before while at the same time responding to less structure fires. These changes only offer to better departments and individuals to provide better service to the community they serve while at the same time reducing chances of litigation due to lack of "training and records keeping" of those who responded to calls. The responsibility and accountability of educating those in the fire service starts at the top and goes down all the way to the new recruit in the academies. It is for these reasons I feel these changes should be adopted. If you have any further questions for me please feel free to contact me. Sincerely, Michael J. Sarnowski FF/EMT-B	
44	Mike Burke	Fire Chief	Elba Township Fire Department	Mike Burke, Elba Twp F.D, Fire Chief I would like to go on record as totally supporting the PA 291 Rules as submitted.	
45	Mike Thoms	Firefighter	Canton Township Fire Department	Hello and thank you for your time, I am writing you to express my support for the change in rules for the fire fighter training council rules. I am a full time fire fighter. My name is mike Thoms and I work at Canton fire department. Again thank you for your time. Mike	
46	Nicholas Gettel		Midland Professional Firefighters Union L1315	I am supporting the proposed rule changes. It's time they are updated. Thank you Nicholas Gettel Midland Professional Firefighters	
47	Pat Conely	Firefighter	Plymouth Township Fire Department	I support the proposed rule changes. Pat Conely Department: Plymouth Township Fire Department Department County: Wayne County	
48	Pat Du Vall	Chief/Training Officer	Plainfield Fire Department	I support the proposed rule changes. Thank you, Pat Du Vall District Chief / Training Officer	
49	Paul F. Fabiano	Fire Chief	Clearwater Township Fire Department	Good afternoon, I am a Fire Chief of a 12 man department located in Kalkaska County. We are all paid on-call firefighters. I am in support of the draft rules and do not see any real impact on firefighter recruitment or retention, if anything it will help recruitment. We , as a department, have incorporated on-line training with hands on training. Meeting the minimum requirements for certification, as written, will be no problem. As the Training Council allows more on-line training, ie: Firefighter I, this allows the student to do their class work on their own time schedule, making it easier to get the minimum training, thus making recruitment less burdensome. I hold a State of Michigan EMT basic license and an Inspector Certificate, both requiring continuing education to remain certified. No matter what the career path the firefighter chooses, career or paid on-call, fire does not recognize a difference. The dangers are the same! We should expect no less than the minimum training for ALL firefighters. These proposed rules are an excellent step in the right direction. Paul F. Fabiano, Chief Clearwater Township Fire Department	

# SUPPORT

	Name	Title	Organization	Comments	Exhibit
50	Paul Zyburt	Fire Chief	Marquette Fire Department	Good afternoon, to whom it may concern. I am Paul Zyburt, a firefighter on Marquette City Fire department for 3 years, member of local 643. I am writing this email in response to the letter sent by our local Firefighters Training Council voicing their personal opinion and concerns under the umbrella of many different departments. I decided it would be best to voice my own opinion instead of having another do it for me without my say. I believe it is of everyone's best interest to have Fire Chiefs trained to a uniform level, regardless of demographics or size. Regardless of fulltime, part time, paid on call or volunteer every individual living within said departments jurisdiction depends on the training and knowledge of those serving them. There is no better way to ensure these expectations are met than passing this legislation requiring the higher education NEEDED to run an emergency scene and command others. If nothing else this pandemic has shown the effectiveness of technology and opened the door to education happening on an individual's time. It is because of this I believe that numerous opportunities exist that are accommodating to any person. Thank you for providing a platform for opinions to be expressed. Yours in service, Paul Zyburt Firefighter Paramedic, Marquette City Fire Department	
51	Philip Hall	Battalion Chief	Dearborn Heights Fire Department	I support the proposed changes to the Michigan Fire Fighter Training Council rule set. The MFFTC rules have not been updated since 2016, and the proposed changes will bring the rules in line with the current law. Thank you for your time and consideration. Sincerely, Philip Hall Battalion Chief Dearborn Heights Fire Department	
52	Ronald J Palmer	Fire Chief	Mecosta Township Fire Rescue	Good afternoon I support the rules change for the Michigan Bureau of Fire Services Firefighter Training Division. Respectfully Chief Ronald J Palmer Mecosta Township Fire Rescue Mecosta County Fire Training Association Mecosta County CTC	
53	Samuel Schmitt		Muskegon Fire Department	To Whom it May Concern: I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set. Samuel Schmitt Muskegon Fire Department	
54	Sara Cottington-Heath	Firefighter	City of Saginaw Fire Department	To Whom It May Concern: I am supporting the proposed rule changes. Sara Cottington-Heath, Firefighter, City of Saginaw Fire Department	
55	Scott Veldman	Lieutenant/Training Officer	Grandville Fire Department	To whom it may concern, I am in full support of the proposed rule changes for Public Act 291. I feel that having a CE system similar to the EMS is a great way to track what areas of training have been covered. It also is a good way to hit on areas that need to be looked at more often than other areas. I also feel that attending a fire academy is a must vs. challenging the test. I feel the academy gives some uniform teaching across the State. There is no other profession that I am aware of that you can challenge a test and obtain a license. I'm not sure I would feel comfortable having someone back me on a fireground knowing they might not be properly trained. Lt. Scott Veldman Training Officer Grandville Fire Department	
56	Shaun Abbey	Second District Vice President	Michigan Professional Fire Fighters Union	Good Morning, As a Battalion Chief and Training Officer, I fully support the MFFTC revisions to the firefighter training act. Please support the hard work put in by the Council on behalf of the fire service and residents of Michigan. This will make our entire state safer. Respectfully, Shaun Abbey Second District Vice President Michigan Professional Fire Fighters Union	
57	Steve Heim	4th District Vice President	Michigan Professional Fire Fighters Union	To whom it may be concerned: I writing in support of the rule changes proposed by the Fire Fighters Training Council. These rules will ensure the safety and education of the Michigan fire service personnel match the professionalism and expertise our citizen's demand. The rule changes are well past due and are more than reasonable in their application. Every firefighter in this State should be provided the training necessary to safely respond within our communities. Respectfully submitted, Steve Heim 4th District Vice President Michigan Professional Fire Fighters Union	
58	Terrence H. Chesney	Secretary-Treasurer	Michigan Professional Firefighters Union	To Whom it May Concern: I would like to go on record indicating my support of the proposed changes to the Fire Fighter Training Council rule set. These changes will bring the rules up to date and will improve training for firefighters. I listened to all of the comments at the public hearing on the proposed update to the FFTC Rules. I retired as a Captain in the Trenton Fire Department several years ago and I continue to serve as a principal officer of the Michigan Professional Fire Fighters Union since I was originally elected in 1990. I also was appointed by Governor Engler to serve as a member of the Fire Fighters Training Council, a position I held for several years. I was happy to hear that the majority of the comments in today's public hearing were supportive of the proposed rule changes. I must admit that I was dismayed and extremely disappointed to hear some of the opposition that was raised by Fire Chiefs. I can not understand why any Fire Chief would be opposed to the two issues that they are raising. Continuing training is absolutely necessary for fire fighters. Changes in technology, equipment, and firefighter strategies must be passed on to firefighters for their safety and those of the citizens they protect. The only way to insure that this occurs is if continuing education is required. The reciprocity issue is also something that will help Fire Chiefs. If someone applies to a fire department, the Fire Chief should be confident that the training a applicant says they have received prior to their application, is worthy and meets the prehire qualifications that the department is requiring. The majority of fire departments already exceed the training requirements in these proposed rules. Please don't endanger the firefighters that are in the few departments that aren't given an opportunity for continuing education. They need these rules changed to make it a requirement, otherwise, their Fire Chief wont do it. Thank you, Terrence H Chesney Secretary-Treasurer Michigan Professional Fire Fighters Union	

SUPPORT

SUPPORT					
Name		Title	Organization	Comments	Exhibit
59	Zac Roland	Firefighter / Union President L1830	Ypsilanti Township Fire Department	<p>To whom it may concern,</p> <p>My name is Zac Roland, I am a fire fighter in Ypsilanti Township and currently our union president at Local 1830. I have reviewed the rule changes proposed by the training council and highly support the requirements for firefighters to have continued education as stated in Part 5. Too often the importance of continuous education is over looked by our supervisors making our jobs more dangerous and our procedures less efficient. I believe part of this may only be due to budgetary reasons, which is not a good excuse when lives are at stake. There is also a tradition that we can train ourselves on duty but in my experience that only perpetuates outdated and sometimes more dangerous practices. In addition to that, in house training does not bring in new information or skills. A state level requirement will rectify some of these issues by forcing firefighters to seek training outside of their normal work atmosphere. This allow us to bring in new ideas and new skills so we can better serve our communities.</p> <p>Thank you, Zac Roland President, Local 1830 Ypsilanti Township Fire Department</p>	

March 18, 2021

**Michigan Office of Administrative Hearings and Rules**

**Lansing, Michigan**

**RE: Testimony Regarding Proposed Rules, 2019-21LR**

I would like to take a moment and offer insight and testimony to the Proposed Rules, 2019-21LR, regarding firefighter training requirements. I retired as Deputy Fire Chief from Plainfield Township Fire Department after 34 years of service. Being the current President of the Michigan Fire Service Instructors Association for the past 14 years, I currently have been involved in Michigan Fire Service Coalition affairs for the past 12 years, as well as recommend a member for appointment to represent our organization within the Fire Fighter Training Council.

While another group within the state has “raised some significant concerns regarding the training requirements proposed” within the Proposed Rules document, I am writing to inform everyone that these concerns are null and void. The Rules, as proposed, will not negatively impact our communities and our agencies – in the contrary, they will support the Fire Services aspect as a whole in the State of Michigan.

**BACKGROUND:**

I was actively involved with the Coalition when the Act 291 legislation was being written and discussed years ago. At the time, the idea behind rewriting Act 291 was to enact reciprocity for IFSAC and ProBoard courses, as well as bring NFPA standards to the state level. Adopting NFPA standards would elevate the State of Michigan to national platform for creating classes and certification exams; adopting ProBoard would both allow firefighters to leave state with a credential that would transfer around the country, or allow firefighters from out of state to work in Michigan. Additionally, the legislation called for the adoption of continuing education, and spelled out the different certifications that could be attained by firefighters.

At the day of the hearing for the new legislation, it was noted a word change of adopting the “minimum NFPA standards.” This wording now stopped counties and Regional Training Centers from adding additional educational curriculum to fire academies and other classes that would provide safety, command, and background information about the topic to students. Although a majority of fire service entities disagreed with this language, the same majority of the fire service membership present did not negatively testify about the proposed legislation and let it be enacted.

Once the new Act 291 was adopted, it was well known the Michigan Fire Fighters Training Council (MFFTC) would work together to write the rules correlating to the new legislation. After 2.5 years, over 40 meetings, and compromise across the board, the document was passed 6-3 by the members of the Fire Fighting Training Council to move through the rules process. Two-thirds of the fire service organizations, from around the State of Michigan, found the document to be fair, concise, and advantageous to everyone in this state.

Concerns have been raised, primarily by the Michigan Association of Fire Chiefs (MAFC), regarding three topics that are felt to have been ignored within the process. Nothing is further from the truth; in fact, it is my understanding members of the MFFTC allowed other items to pass into the Rules, as a spirit of good faith and compromise that a good document could be brought forth.

**ARGUMENTS:** The MAFC concerns are as follows, as well as a rebuttal to the argument.

**MAFC ISSUE #1: Reciprocity recognition for Credentialing – Proposed Rule 29.404**

- *Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.*

*The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.*

*We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:*

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

**Rebuttal:** The request to honor ProBoard (i.e., nationally recognized accredited organization) was met by the MFFTC and Fire Marshal Sehlmeier. In fact, FM Sehlmeier brought the recognized process, from the State of Illinois, to the Council for their review. The current language in the proposed rules allows for ProBoard reciprocity both in-state and for out-of-state firefighters.

However, the plan of the MAFC is to establish a renegade, competing certification standard, outside of the Bureau of Fire Services and State of Michigan. This process would allow the MAFC to work with a ProBoard conglomerate (Regional Alliance for Fire Training) to provide the same certification courses as the State of Michigan. A competing certification standard also brings with it the following issues:

- a) Courses can have an endless cost factor built into them.
- b) Instructors are not vetted by the State of Michigan; therefore, instructors dismissed for impropriety, falsifying documents, and other reasons, can still instruct ProBoard courses.
- c) There is no recourse for students regarding complaints, of any sort, about the course.
- d) Oversight, in general, is non-existent – yet while graduates of the program will be requesting an MFFTC certificate for reciprocity, the State of Michigan will certify an in-state student from a program of which there was no oversight or determination if rules and requirements for the course were met.
- e) When it comes to the hiring and employment of instructors for ProBoard courses, a “private organization” will now choose what instructors are hired and can teach courses, which leads to inequality and lack of statewide fairness for all firefighters.

Additionally, removing the MOU actually creates inequality and exclusion for suppression and command level firefighters, especially from urban areas, who want the opportunities to expand their career – even if it means leaving state. The MOU allows two certificates to be presented upon successfully passing exams, while dismissal of the MOU makes a firefighter test two separate times for two possible certifications.

**MAFC ISSUE #2: Exam Requirements – Proposed Rule 29.405**

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau’s make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs

are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

**Rebuttal:** It seems ludicrous to any educational representative that attendance requirements to a class are not required. Anyone pursuing a professional degree or certification has classroom hours to complete prior to an exam; examples include nursing candidates, police officers, medical responders, and teachers. No one pursuing those public service occupations are able to “challenge” an exam; why would a firefighter be able to challenge an exam for certification?

In all reality, the idea with the proposal is to instruct firefighters in house, allow them to learn the final exams for certification (otherwise known as teaching to the test), and cut educational time. This request is dangerous, as well as insane, as it allows for people new within their position to not obtain the necessary education, then try to pass the exam.

**MAFC ISSUE #3: Continuing Education – Proposed Rule 29.418**

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

**Rebuttal:** It is noted Act 291 requires language regarding continuing education in the rules to some degree; therefore, the MFFTC formulated these proposed ideas. The MAFC is correct in stating a possibility that aligning with MIOSHA wording is a possibility. However, feedback from multiple firefighters from all types of organization requested the addition of continuing education to the Rules in the means of specific times or hours. At the present time, all the proposed Rules are requiring is an average of 1 hour a month for continuing education, along with training plans and documentation of attendance. This requirement is very low, but does set a basic standard for training and records management, which is needed for ISO, injury investigations, death investigations, and grants. As for Chiefs and Public Safety Directors, both need to be proficient in their occupations and also need to be held to the same certification standards as others in the fire service.

**CONCLUSION:**

In closing, while the Michigan Association of Fire Chiefs bring forth some possible arguments, the bottom line is that the validity of these arguments, as well as the oversight proposed, is not measurable. The first proposal allows the opportunity for select, certain instructors (who may or may not be state certified) to provide a whole-host of the credentialing aspects with no oversight by the State of Michigan – in fact, it is in direct competition and a “power grab” from the State of Michigan. Secondly, the fact the MAFC endorses challenge exams for a professional job seems to contradict what a professional job is. Not any other profession allows “challenge exams” or self-study for a Professional licensee. Finally, emergency response occupations have continuing education requirements, and adding language to ensure firefighters also are provided continuing education opportunities makes the job and personnel safer.

Thank you for taking the time to review my testimony.

Respectfully yours,

Donald R. Bigger, President  
Michigan Fire Service Instructors Association

Exhibit 2  
LARA BFS FFTC  
3-24-2021/amk



Stanton Township Volunteer Fire Dept, Precinct 1  
16841 Fire Hall Road  
Houghton, MI 49931

Fire Fighter Training- Administrative Rules Public Comment  
2407 N. Grand River  
P.O. Box 30700  
Lansing, Michigan 48909

RE: Administrative Rules for Fire Fighters Training Council Rule Set 2019-21 LR

To Whom It May Concern:

I am writing to express the strongest support possible for the rule changes being proposed for the Michigan Fire Fighter Training Council (MFFTC). I have been a volunteer firefighter for over 23 years and currently serve as a fire instructor for several counties in the Western Upper Peninsula. I have experience with the dysfunction in the fire service under the current rules and I think the proposed rules will greatly improve fire fighter safety and our ability to protect and serve our local communities.

Specifically, the inclusion of continuing education requirements, "Part 5 Continuing Education" is long overdue. In addition to being a fire fighter, I am also a paramedic. The Emergency Medical Services program in Michigan has required continuing education credits for decades. It is essential for EMS practitioners keeping up their knowledge and skills. This is equally true in the fire service where every emergency call potentially involves life-threatening conditions for the firefighter and the members of the community we are called to help. Too many times I have heard members of the volunteer fire fighter community in my area boast of the fact that they attended fire school many years ago and have no intention of obtaining more training. Such thinking is backward, harmful to the fire service, and outright dangerous. By setting standards for continuing education, the MFFTC will resolve to protect firefighters by improving the safety of their response capabilities.

The guidance on the make-up and functioning of the County Training Committee is long overdue. We have searched for this type of information in the past to help us reconfigure our county training committee into something more functional and representative of the fire service in our county and the language in "R 29.416 County training committee" will be very helpful.

Finally, the section "R 29.405a Classification for fire chief; requirements; reciprocity" is also needed in the rural communities of Michigan. Chief officers in the fire service should be adequately trained and not simply "voted in" by a popularity contest or assigned solely on the criteria of longevity on the fire department. The NFPA standard "1021: Standard for Fire Officer Professional Qualifications" makes it very clear that officers in a fire department, and especially chief

officers, should meet minimum training standards. These standards ensure that the men and women holding these positions are both knowledgeable and competent to handle the responsibilities of their position. By not outlining these requirements, the gate is left wide open, especially in rural communities, for sub-standard leadership on fire departments. This lack of qualified leadership directly influences firefighter safety while operating on the fireground or in response to another emergency and can significantly reduce a department's effectiveness in helping those in need.

I am certain you will receive push-back from rural areas where they think these training requirements, both the CEUs and qualifications for officers, are unrealistic and pose an onerous burden on volunteers who are not compensated for our time and effort. As a long-term volunteer myself I understand the sentiment behind those type of concerns. However, instead of agreeing with them, I think it should be noted that volunteer firefighters often represent a majority of Line of Duty Deaths within the fire service each year. We don't see the amount of fire that suburban and urban departments see. This means we have to invest the time in training if we ever hope to retain some level of proficiency with using our equipment, strategies, and tactics effectively. To reject the NFPA guidelines (1001 for training and 1021 for officers), we are accepting that volunteer firefighters should be allowed to operate with increased health and safety risks... in essence, have a greater likelihood of experiencing an injury or death in the line of duty. This should not, and cannot, be allowed to become the cultural norm or expectation in the Michigan Fire Service.

Please advance these rule changes for the MFFTC, adopt them, and bring them to bear in the fire service. We need this type of leadership to help ensure that members of our firefighting community are adequately trained and ready to answer the next emergency call to duty.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Stone". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jonathan Stone, NREMT-P, FF2, CFI-2

Training Officer

Stanton Township Volunteer Fire Department, Precinct 1

Exhibit 3  
LARA BFS FFTC  
3-24-2021/amk

# OPPOSE

	Name	Organization	Comments	Exhibit
1	Adam Carroll	Hartland Deerfield Fire Authority	Please accept the attached document of written public comment regarding the proposed Rule Set 2019-21 LR. Thank you, Adam L. Carroll, Fire Chief Hartland Deerfield Fire Authority	4
2	Al Avery	Mendon Fire Department	To Whom it May Concern; I am writing on behalf of the Mendon Fire Department to inform you that we are opposed to the proposed rules changes per the attached letter. Sincerely, Chief Al Avery Mendon Fire Department	5
3	Blake Spillers	Colon Community Fire and Rescue	I am not supporting the proposed rule changes. Blake Spillers, Colon Community Fire & Rescue Department	
4	cbx1050max@aim.com		It is easy for you to add to firefighter training requirement because you just make rules. We at the local level have to figure how to pay for this. Please include funding to cover the cost of We are already scraping the bottom of the barrel. Our fi...	
5	Charles F. McCormick IV	City of Monroe Police Department	Michigan Office of Administrative Hearings Rules Bureau of Fire Services, Attached is my letter of opposition to Rule Set 2019-21 LR, specifically as it refers to the Director of Public Safety position. Thank you for your time and consideration on this matter	6
6	Chris Mantels	Saugatuck Township Fire Department	Good Afternoon, Please find my attached public comment regarding the draft firefighter training administrative rules. Thank you, Chris Mantels Deputy Chief / Fire Inspector Saugatuck Township Fire District	7
7	Christopher Stoecklein	Canton Public Safety	Please accept my comments regarding the rule changes. Thank you, Christopher J. Stoecklein Fire Chief Canton Public Safety	8
8	David E. Molloy via Renee Landis (City of Novi Administrative Assistant)	City of Novi	Hello, Please disregard the email with attached letter sent at 12:35 p.m. EST; I inadvertently sent the wrong draft. The correct letter is attached to this correspondence and I would be grateful if you would make sure the desired letter is forwarded to the proper personnel. I apologize for any inconvenience. Thank you, Renee Landis	9
9	Dennis C. Wilkins	Gun Lake Tribe Public Safety Department	Michigan Office of Administrative Hearings and Rules Bureau of Fire Services Re: Testimony Regarding Proposed Rules, 2019-21LR March 18, 2021  I stand with the Michigan Association of Chiefs of Police who also submitted the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, I am concerned about the proposed requirements that states the following: (6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification: (a) Fire officer. (b) Fire inspector. (c) Fire investigator. (d) Airport rescue firefighter. (e) Hazardous material responder. (f) Technical rescue responder. (g) Fire chief. (h) Public safety director. (i) Plans examiner.  I have particular concern as to proposed rule 6(h). Our local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Our community employs individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for our community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.  In addition, I feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.  In closing, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h).  Miigwéch, Dennis C. Wilkins Director of Public Safety Gun Lake Tribe Public Safety Department	
10	Don Munn	Western Michigan Association of Fire Chiefs	On behalf of the Western Michigan Association of Fire Chiefs, please find the attached letter in response to the proposed rule changes being discussed. Thank you. Don Munn President Western Michigan Association of Fire Chiefs	10

# OPPOSE

	Name	Organization	Comments	Exhibit
11	Elmer J. Hitt	City of Jackson	Please see the attached. Thank you, Elmer J. Hitt Director of Police and Fire Services	11
12	Eric Mackinnon	Frankenmuth Fire Department	Afternoon, Frankenmuth Fire Dept. would like to submit the following: At this time we are not in agreement that the Instructor 1 course should be the entry or gate keeper into the new officer certification program outlined in recent drafts of the firefighter training program. We feel that not all officers are teachers, nor are all teacher officers. General knowledge of teaching concepts are good foundation skills for an officer and feel the prior education methodology course filled this need. An extreme concern for the future of recruitment into the officer ranks fuels our need to submit this comment. This concern is not just for our department but also those that are struggling to obtain qualified individuals to fill the rank of a firefighter. Respectfully, Eric MacKinnon Frankenmuth Fire Department	
13	Gerald A. Luedecking	Richland Township Fire Department	This E-mail was sent from "RNP002673E89484" (MP C3004ex). Scan Date: 03.24.2021 12:34:20 (-0400)	12
14	Greg Flynn	West Bloomfield Fire Department	Please see my attached comments related to the Fire Fighter Training- Administrative Rules Public Comment scheduled for Wednesday, March 24, 2021 at 11:00 a.m. GREGORY FLYNN Fire Chief West Bloomfield Fire Department	13
15	Greg Lelito	Madison Heights Fire Department	Good afternoon. I have attached a letter from the OAKWAY Mutual Aid Association regarding comments on the proposed rules, 2019-21LR. Thanks, Greg Lelito Fire Chief Madison Heights Fire Department	14
16	Jack L. Snyder, Jr.	Michigan State Firemen's Association	Michigan Office of Administrative Hearings and Rules, The Michigan State Firemen's Association is not supporting the proposed rule changes regarding our concern over reciprocity recognition for Credentialing. Please see the attached letter. Sincerely, Jack L. Snyder, Jr. Acting President Michigan State Firemen's Association	15
17	Gregory M. Laurain	Van Buren Township Department of Public Safety	To Whom it may Concern, Please review my letter of opposition concerning the proposed legislation that would require public safety directors to obtain firefighter 1 and 12 hours of continuing education.	16
18	Jeff Drake	Solon Fire Department	To whom it may concern, Please find attached. Jeff Drake Fire Chief Solon Fire Department	17
19	Jeff Roberts	City of Wixom Fire Department	Please see the attached written testimony regarding the Administrative Rules for Fire Fighters Training Council. Chief Jeffrey A. Roberts City of Wixom Fire Department MAFC President IAFC GLD GPO Rep.	18
20	Jeff Roberts on behalf of the Michigan Association of Fire Chiefs via Stephanie Johnson	Michigan Association of Fire Chiefs	To Whom It May Concern: On behalf of the Michigan Association of Fire Chiefs, please accept the attached document regarding public comment of proposed Rule Set 2019-21LR. Thank you, Stephanie Johnson	19
21	Jeffery R. Johnson	City of Novi Fire Department	Michigan Office of Administrative Hearings and Rules Jeffery R. Johnson Testimony Regarding Proposed Rules, 2019-21LR Regarding the Draft for Firefighter Training Council Rules PA291	20
22	Jeffrey Niemeyer	Livonia Fire Department	Hello, I am Jeffrey Niemeyer my address is 5590 Jada Dr. Highland Twp. MI. I work for Livonia Fire Dept and I am a member in good standing with Local 1164 Livonia Fire Fighters. I am writing this email today to let you know that I do not support these rule changes that the MPFFU is suggesting mostly dealing with the proposed change of having to take the IC class prior to taking any Fire Officer classes. I feel if these changes are to be made it should only go in the form of someone who wishes to become an Instructor Coordinator. Many people who are in the Fire service may not want to become an IC and I feel this class should not be forced onto people just to take Fire Officer classes. If we are to make these changes isn't this something that should be brought to a vote to all of the locals and even volunteer depts across the State of Michigan? What body of persons is voting this in? Again I do not support this change. Thank you Sincerely, Jeffrey Niemeyer.	
23	Johnny L. Menifee	Southfield Fire Department	Greetings, Michigan office of Administrative Hearing and Rules I, Johnny L. Menifee, Fire Chief for the City of Southfield Fire Department offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Please see attachment. Thank you, Chief Johnny L. Menifee Fire Chief - Southfield Fire Dept.	21
24	Josh Judsen	Fabius Park Fire Rescue	To whom it may concern: I do not support support the proposed rule changes to firefighter training. Chief Josh Judsen Fabius Park Fire Department	

# OPPOSE

OPPOSE				
Name		Organization	Comments	Exhibit
25	Josh Mosher	Midland Fire Department	Good morning, On behalf of the Northern Michigan Fire Chiefs Association, please accept the attached document regarding public comment of proposed Rule Set 2019-21LR. Thank you	22
26	Kurt Knight	Martin Township Fire & Rescue	To Whom it May concern, Please see attached word document serving as Testimony for the Martin Township Fire and Rescue Department within Allegan County, Michigan. This is in reference to the public hearing on Firefighter Training and administrative Rules. Respectfully, Chief Kurt Knight Martin Township Fire and Rescue	23
27	Lee Gould	Northern Michigan University	To Whom it Concerns, I am providing comment to the Department of Licensing and Regulatory Affairs Firefighters Training Council General Rules proposed amendments. While I support continuing education and standards, I do not support adoption of these rules as a whole and ask they be reconsidered before adoption. Concerns that I have are as follows: 1. R29.405a Classification for fire chief, requirements; reciprocity. - I am the fire chief of Chocolay Township Fire Department. I have been on the fire department for 17 years holding all rank and 3 years as Chief. I support continuing education for command level officers as they are tasked with life safety decisions. What I completely disagree with in this proposed change is Rule 5a (b) The individual completes the instructor I course, fire officer I course and fire officer II course. I have no desire to become a certified fire instructor and I disagree this needs to be part of the Chiefs certification. I agree with the Fire Officer I & II certification. Fire Chiefs in the part paid and volunteer departments which I am in don't have the time or desire to teach with all the other duties they need to fill in the fire service on top of their daily career job. Forcing them to be a certified fire instructor seems counterproductive and in my opinion will discourage potential future chiefs from getting certified. Respectively, I am asking this portion of language be considered removed from this rule. 2. R 29.405b Classification for fire inspector; requirements; reciprocity- and R 29.405n Classification of plans examiner, requirements; reciprocity. (3)(a) states "be a member or an employee of a fire department or public safety department. I work at a University as the Fire Marshal. I am a certified Fire Inspector I & II and Plans Examiner. I am also on a local fire department. Reading this, if I no longer maintain my fire department status, according to these rules I would no longer be allowed to keep my Fire Inspector Certification or Plans Examiner Certification because I am not a member or employed by a fire department? If this is correct, I would lose my career job at the University for not being on a fire department? As a fire inspector and plans reviewer for the University, I conduct code work and plans review working with the local fire department. Being a firefighter can help with this but it is not vital for this type of code work. I completely disagree with this portion of the rule and respectively ask it be considered to be removed. I listened to the Public Comment this morning and was discouraged to hear only 8 people speak against the rules or parts thereof out of the 52 I heard speak. Only two people spoke on behalf of the volunteer or part paid departments. The members of these departments likely were not available as they were working their career job. It was dominated by career department people who mostly were on duty. As stated 86% of the departments are volunteer or part paid In Michigan yet conversations are mostly dominated by full time departments. Respectively I fully understand and support standards and changes in the fire service, however I can not agree with all these proposed amendments as in my opinion this will have a huge impact on volunteer and part paid departments who are already struggling to maintain active rosters. Thank you for your time. Lee Gould Fire Chief and Fire Marshal	
28	Lisa Nocerini	City of Wayne, Michigan	Via mail	24
29	Marsha Drouin	Richland Township, Kalamazoo County	I am listening to the Public Hearing. The issue of the Rules is evident with monitoring this Public Hearing. The highest number of participants in the Public Hearing are from Full time, "career" Firefighters. Where is the input from the Paid on call, parttime firefighters? The highest number of firefighters in Michigan are from Paid on call, parttime firefighters. Our Paid on call, parttime firefighters Fire Department is constantly training to keep all up to date. We train on events , issues that are seen in our local area as we assist neighboring Departments as well. If we have to train on events, issues that are not even an issue locally, the amount of training will Don't punish all the parttime Firefighters for those departments that do not train which I think much of this process is addressing. As a local official , I am concerned about the ability to get firefighters that will commit to our fire Department . Our taxpayers are paying for an expected service that we may not be able to "man" Financially , we have a budget that could support our Fire Department but many smaller municipalities don't have a budget. For years, we have felt that the nearby city full time fire departments have been trying to take over our local Paid on call, parttime firefighter based fire department. They would not be able to get to our Township timely and have little experience with the issues that we locally have as we have little experience in the city issues. WE have been fighting grass fires in fields for the last 5 days . You don't have that in the city. Education is necessary but just taking a test does not prove efficiency. The training should be adaptable to the municipality and their types of possible "fire " events. Education should be coordinated with all entities that certify Firefighters. Not all Firefighters want to be full time career firefighters which is what all these city firefighters are claiming. Marsha C Drouin Richland Township Treasurer Kalamazoo County	
30	Marshall Saylor	Leonidas Fire & Rescue	I do not support the proposed rule changes Marshall Saylor Leonidas Fire/Rescue	
31	Matt Overholt	Colon Community Fire and Rescue	Good Afternoon, I have attached a letter of Concern about the upcoming training requirements. I think it should be up to the chief to know what we are needing to train on. Being a head of a dept i know my people weakness and strengths. If we feel like there is a person that needs more time on a certain topic than what we need to do not to be told by the state what my people need to do. Every dept operates differently and every dept has different equipment that we train on. Matt Overholt Fire Chief Colon Community Fire & Rescue	25
32	Max Kulpinski	Tri-Township Fire Department	Michigan Office of Administrative Hearings and Rules Fire Chief Max Kulpinski Testimony Regarding Proposed Rules, 2019-21LR	26

# OPPOSE

Name		Organization	Comments	Exhibit
33	Michael Cecchini	Bay City Department of Public Safety	Here is my letter of opposition to Rule Set 2019-21 LR. Sincerely, Michael J. Cecchini Public Safety Director Bay City Department of Public Safety	27
34	Michael Keefe	Allendale Fire Department	Allendale Charter Township Fire Department is opposed to these rule changes. Michael Keefe Fire Chief Allendale Fire Department	
35	Michael McLeieer	Kalamazoo	Good Morning, Please find attached my letter opposing three points in the Proposed Rules, 2019-21LR regarding the firefighter training requirements. If you have any questions, please feel free to contact me. Best Regards, Michael McLeieer, Firefighter	28
36	Michael Pionke	Stanton Township Volunteer Fire Department	To Whom it May Concern: Please see the attached letter (CCVFA FFTC Rules Comment.pdf) from the Copper Country Volunteer Firefighters Association submitted as comment on the proposed Administrative Rules for Fire Fighters Training Council Rule Set 2019-21 LR. Sincerely, Michael Pionke President, Copper Country Volunteer Firefighters Association Chief, Stanton Township Volunteer Fire Department	29
37	Nicholas J. Arnold	Portage Department of Public Safety	To whom it may concern, This proposed requirement, specifically 6(h) is in appropriate and unnecessary and demonstrates a misunderstanding of what a Public Safety Director is and what they do. The position of Director of Public Safety is that of an administrator and not of an operator. Being in Public Safety for more than 30 years now, with the last 4 years as a public safety director, having the FF-I certificate (which I have FF-I and FF-II and a ton of other fire related certifications) and then requiring continuing education hours makes no sense. In today's times is this really a priority? I have a K-9 program yet I am not certified as a K9 handler. I have a drone program and yet I am not a Drone pilot. I just built a brand new, 6 million dollar fire station and yet I do not hold a builders license. It is the municipalities and/or hiring entities who decide qualifications and credentials of their Department Heads and not the State of Michigan. Being a Firefighter/Police Officer and a Director of Public Safety are three totally different animals with different skill sets.. and I have done them all.... and only two of those positions are First Responders. Please accept this communication as my opposition to this proposed rule change. Nicholas J. Arnold Director of Public Safety Portage Department of Public Safety	
38	Noel Clason	Bloomfield Hills Public Safety Department	Department of Licensing and Regulatory Affairs Bureau of Fire Services, Please see the attached letter as my comment regarding your public hearing in response to Firefighter 1 qualifications for the position of Director of Public Safety. Respectfully, Noel Clason, Director of Public Safety Bloomfield Hills Public Safety Department	30
39	Paul Hapke	Fennville Area Fire Department	To Whom It May Concern, Hear is my Public Hearing Comments. Paul Hapke Fire Chief Fennville Area Fire Department	31
40	Paul Wells	City of Birmingham Fire Department	Via mail	32
41	Phillip W. Kerns	Frankenmuth Fire Department	Very good. Thanks for capturing our thoughts. (In response to Eric MacKinnon's comments)	
42	Richard A. Huff	City of Niles, Michigan	Please find attached the City of Niles' testimony regarding proposed rules, 2019-21LR and our opposition to the proposal that a Public Safety Director be required to have and maintain Firefighter1.	33
43	Robert Stevenson on behalf of Michigan Association of Chiefs of Police via Stephanie Johnson	Michigan Association of Chiefs of Police	Department of Licensing and Regulatory Affairs, Bureau of Fire Services Fire Fighter Training -- Administrative Rules Public Comment To Whom It May Concern: On behalf of the Michigan Association of Chiefs of Police, please accept the attached document regarding public comment of proposed Rule Set 2019-21LR. Thank you, Stephanie Johnson	34
44	Roger D. Squiers	Whitehall Police Department	Please see the attached letter for my comments. Chief Roger D. Squiers Whitehall Police Department	35
45	Ryan Fantuzzi	Kirk, Huth, Lange, & Badalamenti Law	Dear Department of Licensing and Regulatory Affairs, Bureau of Fire Services: Attached is my letter opposing particular aspects of the proposed changes to the Fire Fighters Training Council rule set. Respectfully yours, Ryan Fantuzzi	36

# OPPOSE

Name		Organization	Comments	Exhibit
46	Steven McKellar	Plainfield Fire Department	To Whom it May Concern, Attached is a letter from Kent County Association of Fire Chiefs for the Public Hearing for Rule Set 2019-21R, Firefighter Training Council Rules for PA 291 scheduled on March 24th . If you should have any questions please contact me. Steven McKellar Fire Chief Plainfield Fire Department	37
47	Thea Dornbush	Muskegon Charter Township Fire Department	Good Afternoon, Please find my attached public comment regarding the draft firefighter training administrative rules. Thea Dornbush Deputy Fire Chief Muskegon Charter Township Fire Department	38
48	Tom Kidd and Janelle Ruff	Marquette County Firefighter Association	Good Morning, Please find the attached written comment from the Marquette County Fire Fighter's Association Board on behalf of the 17 fire departments in Marquette County. Thank you, Tom Kidd President & Janelle Ruff Secretary/Treasurer Marquette County Firefighter Assoc.	39
49	Tom Talbot	Colon Community Fire and Rescue	Michigan Office of Administrative Hearings and Rules Thomas Talbot Testimony Regarding Proposed Rules, 2019-21LR	40
50	Travis Heiman	White Pigeon Fire Department	Lara I will not be supporting the proposed rule changes that the Fire Marshall is trying to implement. Attached is the document stating facts on why I will not be supporting it. Thank you Travis Heiman Captain/Training Officer White Pigeon Fire Department	41
51	Vincent Smith	Harper Woods Department of Public Safety	Good afternoon, Please accept the attached comments opposing the Proposed Rules 2019-21LR. Stay safe and healthy, VINCENT J. SMITH Director Harper Woods Department of Public Safety	42



# HARTLAND DEERFIELD FIRE AUTHORITY **HARTLAND AREA FIRE DEPT.**

3205 Hartland Road  
Hartland, MI. 48353-1825

Voice: (810) 632-7676  
Fax: (810) 632-2176

E-Mail: mail@hartlandareafire.com

March 25, 2021

## **Michigan Office of Administrative Hearings and Rules**

### **Testimony Regarding Proposed Rules, 2019-21LR**

As a State Certified Instructor since the mid-90's and Chair of the Livingston County Fire Service Training Committee since 2003, my passion for training and for the State's fire service has continued to grow. With the revision to P.A.291, the members of the then-seated Michigan Fire Service Coalition did an outstanding job in moving the Michigan Fire Service forward. Since then, I have been actively involved in the process to update the Fire Fighters Training Council General Rules. This includes participating during Training Council meetings & work sessions, Association meetings of the Michigan Fire Service Instructors Association and Michigan Association of Fire Chiefs, and within the Livingston County Fire Chiefs Association. The Council has done well in assembling a challenging rule set. I commend them for their work. While they are very good, they are also in need of a few critical changes in the "Testing vs. Attendance" and "Certifications for certain Classifications" sections, as follows:

**R 29.405** – Regarding the leap from "Required Testing" to "Required Hours In-Class":

**Public Act 291 states** – MCL 29.369 Section 9: The state fire marshal, with the approval of a majority of the council, shall develop and administer certification examinations that include a practical demonstration and a written or oral test to determine a person's competency in regard to the knowledge and skill requirements in the current edition of the National Fire Protection Association standards for each of the fire service disciplines recognized under this act.

**Proposed Rule 29.405 states** –

*(3) An individual who attends a council-approved firefighter course or courses to qualify for the certification examinations shall comply with both of the following:*

*(a) An individual shall not be absent from more than 10% of the total lecture hours of an entire course as validated by the course manager.*

*(i) A course manager may provide flexibility in attendance as needed in firefighter courses due to the length of the course and an individual's employment obligations.*

*(ii) An individual who is provided flexibility in attendance shall make up missed lecture hours and classes prior to the scheduled ending date of the course.*

*(iii) An individual shall meet 90% of the lecture hours and 100% of the practical skills hours.*

*(iv) A course manager shall enforce the bureau's make up policy.*

*(b) An individual who completes make up training at his or her fire department or public safety department shall complete the bureau's Make Up Training form, BFS-256, for each make up session authorized by the course manager. The fire chief or public safety director shall sign the form and return the form to the course manager for inclusion in the final course paperwork submitted to the bureau via email.*

**Problem** –

The Law does a wonderful job of identifying and calling for what is required for a person to demonstrate competency for certification – that is written and practical testing to National Standards. This ensures that anyone who wants to certify must demonstrate or perform competently, all of the "KSA's", or Knowledge, Skills, and Abilities, commensurate to that certification. In their current form, the rules extrapolate this "testing-for-certification" language into "sitting-for-submission" language that does not lead to student success. In reality,

we know students learn in a variety of ways and at different rates, through a combination of visual, audible, reading and kinesthetic activities, along with varying combinations of quality instruction, coaching, repetition, and evaluation. To force every student into "learning by enduring" is a disservice to many students and is contrary to what we know about how we learn. While there are many examples, most recently and accurately, the new Fire Officer curriculum was rolled out as a virtual program and students were all successful in completion, however, their course time prior to certifying by testing varied from 29 to 67 hours. Certainly, there are plenty of students who will benefit from and will take advantage of in-class opportunities. In fact, many courses are not designed to be delivered any other way. However, archaically requiring all classes, all the time, is counter-productive and unnecessary, because we know "How" a student learns varies with the student. There are many students that learn faster and better by different methods, and in all cases, a good instructor will properly prepare each student based upon the student's learning styles. This is already provided for by the language of the Law, which in all cases requires successfully demonstrating competency through written and practical testing to National Standards.

Solution – Deletion of this section/language. It is unnecessary, counter-productive, and outside the Law.

**R 29.418** – Regarding certification classifications:

Proposed Rule 29.418 states –

*(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire officer.*
- (b) Fire inspector.*
- (c) Fire investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

Problem – While there is no doubt that Fire Chiefs and Public Safety Directors must be nothing less than competent, there are many glaring contraindications to being listed in this rule, beginning with there being no NFPA Standard to measure these classifications against. In addition, in both cases, they would already fall into any one or more of the other classifications, making it redundant. Then, and perhaps the larger issue, both of these classifications are at the sole discretion and responsibility of the local governmental entity to appoint. Just as the Law did not do, the rules should not overreach into creating local government conflicts and the potential liability implications of rendering a municipality's selection as "unqualified", especially when these classifications have no National Standard to measure against and the rules do not add any value aside from what is already indicated with the other classifications.

Solution – Deletion of subsections 6(g) & (h), as has no value and causes significant liability and political issues.

Thank you,

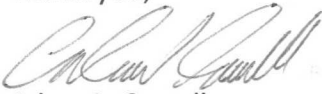
  
Adam L. Carroll  
Fire Chief

Exhibit 4  
LARA BFS FFTC  
3-24-2021/amk

**Mendon Fire Department/Chief Al Avery Testimony Regarding Proposed Rules, 2019-21LR**

The Mendon Fire Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 20 firefighters/Chiefs across the Township of Mendon, in St. Joseph county, Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Exam Requirements – Proposed Rule 29.405
  - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at 269-506-0455, or by e-mail at mfdstat12@aol.com.

Thank you.

*G.A. Avery*

Al Avery  
Chief

Mendon Fire Department

Exhibit 5  
LARA BFS FFTC  
3-24-2021/amk



City of Monroe Police Department  
Chief of Police Charles F. McCormick IV



March 24, 2021

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR  
March 18, 2021**

I am submitting comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community. My particular concern is to the proposed rule 6(h):

*(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

*(h) Public safety director.*

Local officials determine what criteria candidates for Public Safety Director must meet when considering filling such a position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by board members who have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

Also, I believe it is essential to point out that the Public Safety Director's position is administrative, not operational. The State of Michigan well recognizes this as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy; again, these requirements can be made at a local level if so desired.

I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me.

Respectfully,

A blue ink signature of Charles F. McCormick IV.

Charles F. McCormick IV  
Chief of Police

Exhibit 6  
LARA BFS FFTC  
3-24-2021/amk



# SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



3342 Blue Star Highway  
Saugatuck, MI 49453  
269 857-3000 / Fax: 269 857-1228  
E-mail: [info@saugatuckfire.org](mailto:info@saugatuckfire.org)

March 20<sup>th</sup>, 2021

Department of Licensing and Regulatory Affairs  
Bureau of Fire Services  
2407 N. Grand River, P.O. Box 30700  
Lansing, MI 48909

Re: Fire Fighter Training – Administrative Rules Public Comment

To whom it may concern,

I would like to first thank all of you for your time. I am the Deputy Chief of a combination department, made up of 6 career firefighters, and 25 paid-on-call firefighters. I am also a member of the Michigan Professional Firefighters Union, the Michigan Fire Service Instructors Association, the Michigan State Firemen's Association, the Michigan Association of Fire Chief's, and the Michigan Fire Inspectors Society.

I very much appreciate all of the time and efforts the Michigan Firefighter Training Council (council) has spent drafting the administrative rules. I know they have spent more than 150 hours, throughout 40 or more meetings and work sessions.

In the fire service, we have a saying of "We don't train until we get it right, we train until we can't get it wrong. In my opinion, even with all the time spent by the council on the rules, they still have a few sections of the draft rules wrong.

We have over 30,000 firefighters in the State of Michigan, and according to data from FEMA, 86% are volunteers, or primarily volunteer departments. The draft rules are written to hold 86% of firefighters, to the same training requirements as the 13% of career firefighters in Michigan.

I am very much in support of well-trained firefighters, whether volunteer, paid-on-call, or career, however we have to find the balance, of what is realistic and attainable for our volunteer agencies that make up 86% of the firefighters in the state. Every fire department in the United States is struggling with recruitment and retention, and if we set the bar at an unachievable height with the annual training requirements, we risk losing even more qualified personnel.

As a senior command officer, it is my duty to ensure my department is compliant with MIOSHA Part 74, and my personnel are trained, and retrained in the duties commensurate with their job. The draft rules do not need to micromanage what MIOSHA has had in place for years.



# SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



The current draft rules do not treat the different fire service disciplines the same. I currently have a Pro-Board Fire Instructor 2 certificate, that the State of Michigan will not accept, and as I interpret the draft rules, may never accept unless a memorandum of understanding is signed with the Pro-Board agencies. For many years, Michigan State Police has taught arson school to Fire Investigators, and the Michigan Fire Inspectors Society has taught the NFPA Fire Inspector program. Both programs have awarded a Pro-Board certificate, that has been accepted by the Bureau of Fire Services, without a memorandum of understanding. Why now, are we singling out one accredited organization in Pro-Board, by requiring an MOU?

The draft rules need to remove any reference to MOU's, and allow Pro-Board, IFSAC, and National Fire Academy certificates to be accepted in their entirety for both in-state candidates, and out of state requests. I, and several others spoke on this at several of the 40 work sessions with the training council, however it appears to have fallen on deaf ears, as the draft rules are still not right.

Who will ensure compliance with these draft rules? The Bureau of Fire Service (BFS) does not have the staff to conduct maintenance inspections on schools and assembly occupancies and has not for years. It is unlikely the BFS will have the staff to add another task to their list. It is unfair to dump the burden of compliance on the county training committees, as in most cases, this will require another volunteer to spend more of their unfunded time, similar to that of NFIRS reporting compliance.

I would respectfully request, that the current draft rules be denied moving forward, or adoption as currently written. In my opinion, the draft administrative rules need to be returned to the Michigan Fire Fighter Training Council for amendments to the reciprocity, and training hour requirement sections. Thank you for your time.

Respectfully Yours,

Chris Mantels  
Deputy Chief / Fire Inspector

Exhibit 7  
LARA BFS FFTC  
3-24-2021/amk



# Canton Public Safety

*Chad Baugh, Director of Police Services - Police Chief*  
*Christopher Stoecklein, Director of Fire Services - Fire Chief*

1150 S. Canton Center Road, Canton, MI 48188  
www.cantonpublicsafety.org  
Phone 734/394-5400 • Fax 734/394-5450



Michigan Office of Administrative Hearings and Rules

## Chief Christopher J Stoecklein Testimony Regarding Proposed Rules, 2019-21LR

I, Christopher J Stoecklein, Fire Chief of Canton Township Fire Department offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. The Canton Fire department is an all hazards department responding to all requests for service in one of the fastest growing communities in Wayne County and in southeastern Michigan. We also have one of the largest populations in the county excluding Detroit. We are one of four nationally accredited agencies in the state. This means we already meet national standards and our model is continuous improvement. Our members are provided extensive training and instruction so they can perform their duties that not only protect the public but recognize the dangers inherent with this profession.

After close review of the proposed rules my concerns are as follows:

- 1) Reciprocity recognition for credentialing of our staff is very important. The Township of Canton takes full advantage of training opportunities both, in and out of Michigan. Knowing certification programs that meet or exceed national standards are recognized by the Bureau is very important to the professional development of Canton Township firefighters. Administrative bureaucracy is unnecessary and a misuse of valuable resources. I would encourage the following language that adheres to the intent of PA 291 for R 29.404:  
**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**
- 2) Fire departments across the state have demonstrated flexibility on how firefighters can maintain skills and training during the pandemic. Looking to the future, the Bureau must be flexible as it relates to future firefighters obtaining the necessary training to demonstrate the skill and aptitude to qualify for certification. I recommend the board eliminate proposed R 29.405.
- 3) Continuing education is essential and maintaining standards is a vital administrative role. Fire departments across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA). The specific requirements set forth by proposed R 29.418 should read **CONTINUING EDUCATION ANNUALLY IN AN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Sincerely,

*Christopher J. Stoecklein*  
Chief Stoecklein, Canton Fire Department



Exhibit 8  
LARA BFS FFTC  
3-24-2021/amk



March 24, 2021

Dear Colleague,

As a distinguished leader in the Michigan first responder community, I am concerned about the proposed requirements which state the following:

**CITY COUNCIL**

**Mayor**  
Bob Gatt

**Mayor Pro Tem**  
Dave Staudt

Andrew Mutch

Laura Marie Casey

Hugh Crawford

Justin Fischer

Julie Maday

**City Manager**  
Peter E. Auger

**Director of Public Safety**  
**Chief of Police**  
David E. Molloy

**Fire Chief**  
Jeffery R. Johnson

**Assistant Chief of Police**  
Erick W. Zinser

**Assistant Chief of Police**  
Scott R. Baetens

**Assistant Fire Chief**  
John B. Martin

*Proposed Rule 2019-21LR:*

*(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer*
- (b) Fire Inspector*
- (c) Fire Investigator*
- (d) Airport Rescue Firefighter*
- (e) Hazardous Material Responder*
- (f) Technical Rescue Responder*
- (g) Fire Chief*
- (h) Public Safety Director*
- (i) Plans Examiner*

*Proposed Rule 29.405m Classification of public safety director; requirements; reciprocity:*

*Rule 5m. This rule provides the classification for public safety director pursuant in section 9 of the act, MCL 29.369.*

*(1) A public safety director is an individual who meets both of the following:*

- (a) Is certified as a firefighter II or completes the council-approved firefighter II requirements, as specified in R 29.405 within 12 months of the date of hire as a public safety director.*
- (b) Completes the Instructor I course, Fire Officer I course, and Fire Officer II course within 36 months of completing the firefighter II requirements.*

*(2) An individual who is serving at the public safety director level for his or her jurisdiction before the effective date of these rules is considered to have met the requirements of this rule.*

**Novi Public Safety Administration**  
45125 Ten Mile Road  
Novi, Michigan 48375  
248.348.7100  
248.347.0590 fax

cityofnovi.org

For the past 11 years I have served as the Director of Public Safety for the City of Novi. Under my administration, the Novi Fire Department has achieved unprecedented departmental accolades and awards for excellence including a lowered Insurance Services Office (ISO) rating from 5 to 2.

The Novi Fire Department staffs all four fire stations 24/7/365 and has completed a department strategic plan for the overall enhancement of the Novi Fire Department. We have reduced our priority response times and have outstanding customer service feedback from the community members we have served.

Of particular concern to me is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

It is important to point out that the position of Public Safety Director is an administrative position, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

In closing, in conjunction with the MACP, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h) and R29.405. If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,

A handwritten signature in blue ink, appearing to read 'D.E. Molloy', with a long horizontal flourish extending to the right.

David E. Molloy  
Director of Public Safety  
Chief of Police

**Western Michigan Association of Fire Chiefs Testimony Regarding Proposed Rules, 2019-21LR**

The Western Michigan Association of Fire Chiefs is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 125 Chiefs across the West Michigan region. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

1) Reciprocity recognition for Credentialing – Proposed Rule 29.404

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact WMAFC President Don Munn.

Thank you.

Don Munn  
President  
Western Michigan Association of Fire Chiefs

March 23, 2021

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

**Re: Rules Set 2019-21LR**

I am submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, and as the Director of Police and Fire Services for the City of Jackson, I am concerned about the proposed requirements that state the following:

- (6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*
- (a) Fire officer.*
  - (b) Fire inspector.*
  - (c) Fire investigator.*
  - (d) Airport rescue firefighter.*
  - (e) Hazardous material responder.*
  - (f) Technical rescue responder.*
  - (g) Fire chief.*
  - (h) Public safety director.*
  - (i) Plans examiner.*

Of most concern is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for a particular community. Further, establishing continuing education requirements for a classification that does not exist, seems unreasonable.

In addition, the position of Public Safety Director is an administrative, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

In closing, the MACP strongly opposes Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,



Elmer J. Hitt



# Richland Township Fire Department

7401 North 32nd Street • Richland, MI 49083 • (269) 629-4921 Fax (269) 629-5993

Bureau of Fire Services

March 17, 2021

ATTENTION: Firefighter Training Administrative Rules- Public Comment

2407 Grand River

PO Box 30700

Lansing, MI 48909

Dear Fire Fighter Training:

First, I would like to recognize the firefighters training council's (FFTC) 9 members for what I believe was hours of hard work to propagate these rules. It appears that PA 291 would like to make Michigan's firefighters more professional. It is noteworthy that all council members are members of, or have worked in, full time fire department positions.

According to the web site, Michigan has 1,029 fire departments and 31,541 firefighters. 23,655 of these firefighters are part time or volunteer, meaning that 75% of all of Michigan firefighters are part time, or volunteer. Yet, they are not represented on the FFTC.

It is my opinion that these proposed rules will devastate the volunteer fire service, which I also believe is partially the intent of PA291. I have spoken to a number of chiefs around lower Michigan, and they have similar opinions as mine. Some are afraid to speak. I believe that these rules are the most burdensome proposed rules in years. The proposed rules will certainly add cost and time to all Michigan fire departments. The low budget departments will be hit the hardest. These are primarily volunteer fire departments serving low tax-based communities.

To recap the proposed rules, it will require every fire fighter to have 12 hours of documented firefighter training every year, 36 hours in a 3-year cycle, with 6 hours per year in firefighter knowledge and practical skills. The rules state that no certified instructor is needed for this training, as of yet. The proposed rules also state that firefighters be trained to NFPA 1001 standards. NFPA 1001 is "Standard for Fire Fighter Professional Qualifications". NFPA 1001 states that the training must have lesson plans, and have Job Performance Requirements (JPR) of each certification. NFPA 1001 states that, "JPR. A written statement that describes a specific task, list the items necessary to complete the task, and defines measurable or observable outcomes and evaluations areas for the specific task".

Page: Two

Bureau of Fire Services

March 17, 2021

ATTENTION: Firefighter Training Administrative Rules- Public Comment

The proposed rules also state that if you are a Firefighter-2, you must obtain an additional 12 hours of training in Hazardous-Materials Responder training, in addition to the required 36 hours of required training. These proposed rules do not consider the ongoing training already needed for fire agencies that are also medical first responders.

Every firefighter appointed as a Chief Officer will need to become Firefighter-2 within 12 months of their appointment to chief. Then, after becoming Firefighter-2 and within 36 months, the new Chief must complete the Fire Instructor 1 course, followed by Fire Officer-1 and then Fire Officer-2 course. I believe that many of the volunteer Fire Chiefs will not be able to donate that much time to the job requirement. In some instances, this may make the chiefs position a rotating position with no continuity of training or procedures.

I believe these proposed rules will have a devastating impact on rural areas in both cost and time. Although it appears that the FFTC and Fire Marshalls office will pay for initial training, the burden of paying ongoing education and seminars will be on each municipality for years.

Next to maintain your Fire Instructor-1 or higher certificate you must complete 12-hours (in a 3 year cycle) of continuing education by attending or instructing: instructor development conferences, instructor development seminars, instructor coordinator Emergency Medical Services conference, instructor or instructional development courses sponsored by the National Fire Academy, complete the next level of fire instructor certification, maintain a Michigan EMS instructor coordinator license, or document hours to close out a course in the bureaus training information network. Remember you must be a fire instructor to become a fire officer.

Next, to maintain your officer license you must obtain 12 hours of continuing education, in a 3-year cycle.

To summarize, a volunteer fire chief must maintain 36 hours of fire fighter training, 12 hours of fire instructor training, 12 hours of fire officer training, and 12 hours of hazardous material training every 3-year cycle. That's 72 hours of training.

The FFTC has moved the goal post for firefighter training many times in my career. I am afraid that these rules are just the beginning. The goal post will be moved again and again until the FFTC forces volunteer firefighters out of firefighting. I don't believe that all communities can afford full time fire departments, once volunteer department can no

Page: Three

Bureau of Fire Services

March 17, 2021

ATTENTION: Firefighter Training Administrative Rules- Public Comment

longer comply with these rules, I foresee volunteer fire departments going back to the old days, and just not complying with the rules. I don't think communities will give up their volunteer fire departments.

I believe that a majority of the 23,655 Michigan volunteer firefighters want to serve their community; not for a paycheck or benefits, but as "Neighbor helping Neighbor". Some of these rules will strangle the volunteer fire departments out of existence. I believe that the volunteer fire service fulfills the needs of many communities that simply cannot afford full time staffing. These communities feel they are currently adequately protected.

Most Respectfully,



Gerald A. Luedecking  
Fire Chief

Exhibit 12  
LARA BFS FFTC  
3-24-2021/amk



Michigan Office of Administrative Hearings and Rules

**Gregory Flynn, Fire Chief Testimony Regarding Proposed Rules, 2019-21LR**

I, Gregory Flynn, Fire Chief for the Charter Township of West Bloomfield offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. The West Bloomfield Fire Department (WBFD) serves the communities of West Bloomfield, City of Orchard Lake Village, City of Keego Harbor, and the City of Sylvan Lake in Oakland County. The 99 members of the WBFD strive to ensure the protection of our residents.

After careful review of the proposed rules I have the following concerns:

- 1) Reciprocity recognition for credentialing of my staff is very important. The WBFD takes full advantage of training opportunities inside and outside of the State of Michigan. Knowing certification programs that meet or exceed national standards are recognized by the Bureau is very important to the professional development of West Bloomfield firefighters. Administrative bureaucracy is unnecessary and a misuse of valuable resources. I would encourage the following language that adheres to the intent of PA 291 for R 29.404:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Fire departments across the state have demonstrated flexibility on how firefighters can maintain skills and training during the pandemic. Looking to the future, the Bureau must be flexible as it relates to future firefighters obtaining the necessary training to demonstrate the skill and aptitude to qualify for certification. I recommend the board eliminate proposed R 29.405.
- 3) Continuing education is a daily event at the WBFD. Maintaining standards is an important role of the fire chief and staff. Fire departments across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA). The specific requirements set forth by proposed R 29.418 should read **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory Flynn".

Gregory Flynn, Fire Chief  
West Bloomfield Fire Department



# **OAKWAY Mutual Aid Association**

*Established 1955*

Michigan Office of Administrative Hearings and Rules

## **OAKWAY Mutual Aid Association's Testimony Regarding Proposed Rules, 2019-21LR**

OAKWAY is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 10 Fire Chiefs and nearly 700 career firefighters from across Oakland County. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

### **1) Reciprocity recognition for Credentialing – Proposed Rule 29.404**

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

### **2) Exam Requirements – Proposed Rule 29.405**

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements



outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:



## OAKWAY Mutual Aid Association

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*Established 1955*

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at 248-588-3605.

Thank you,

Greg Lelito  
President  
OAKWAY Mutual Aid Association

Exhibit 14  
LARA BFS FFTC  
3-24-2021/amk

# Michigan State Firemen's Association

FOUNDED 1875

P.O. Box 405, 9001 Miller Rd. Swartz Creek, Mi. 48473

Office - 810-635-9513

Fax - 810-635-2858

[www.office@msfassoc.net](http://www.office@msfassoc.net)

March 24, 2021

Michigan Office of Administrative Hearings and Rules

## **Michigan State Firemen's Association Testimony Regarding Proposed Rules, 2019-21LR**

The Michigan State Firemen's Association is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 1,900 firefighters, company officers and chiefs across the State of Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

# Michigan State Firemen's Association

FOUNDED 1875

P.O. Box 405, 9001 Miller Rd. Swartz Creek, Mi. 48473

Office - 810-635-9513

Fax - 810-635-2858

[www.office@msfassoc.net](http://www.office@msfassoc.net)

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined on the previous page. If you have any questions, please contact me at 989-436-1280.

Sincerely,

Jack L. Snyder, Jr.

Acting President

Michigan State Firemen's Association

Exhibit 15  
LARA BFS FFTC  
3-24-2021/amk



**Gregory M. Laurain**  
Director of  
Public Safety

# Van Buren Township Department of Public Safety

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**Jason Wright**  
Chief of Police

03/24/2021

Department of Licensing and Regulatory Affairs  
Bureau of Fire Services

Fire Fighter Training Administrative Rules Public Comment  
2407 N. Grand River, P.O. Box 30700, Lansing MI 48909

Letter of Opposition

To whom it may concern,

I have recently heard that the State Fire Marshall is advocating a change in the state law (Proposed Rules 2019-21LR with the inclusion of 6(h) that will require Directors of Public Safety to obtain Firefighter 1 certification along with 12 additional continuing education hours in a 3-year cycle to maintain certification. As far as I'm aware, a classification or certification for a Public Safety Director does not exist.

I am not sure what the importance of this type of certification for a Public Safety Administrator would be. As a Public Safety Director for the past 8 years, my job description is that of an administrator, not a Fire Chief or First Responder. My public safety department like many in the state is a Nominal model where police and fire are separate. There is a Fire Chief who operates under the administration of a Director. So, what is the need for a Public Safety Director to be certified if he/she is not in an operational role.

I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h) or any proposed bill that would impose these types of legislative restrictions upon a Public Safety Director who serves in an administrative role over police, fire and ems.

Respectfully submitted,

Gregory M. Laurain  
Director of Public Safety

Exhibit 16  
LARA BFS FFTC  
3-24-2021/amk

**Solon Fire Department, Chief Jeff Drake Testimony Regarding Proposed Rules, 2019-21LR**

The Solon Fire Department, Cedar Springs MI, is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 16 firefighters/Chiefs across the County of Kent. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Exam Requirements – Proposed Rule 29.405
  - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

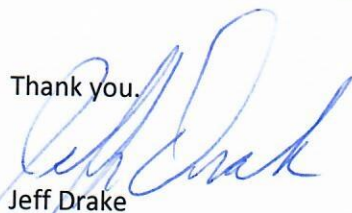
*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact Chief Jeff Drake.

Thank you.



Jeff Drake

Fire Chief

Solon Fire Department (041-27)



## Michigan Office of Administrative Hearings and Rules

### Chief Jeff Roberts Testimony Regarding Proposed Rules, 2019-21LR

I, Jeff Roberts, Fire Chief for the City of Wixom Fire Department offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. The City of Wixom Fire Department is an all hazards department responding to all requests for service in one of the fastest growing communities in Oakland County and in southeastern Michigan. Our members are provided extensive training and instruction so they can perform their duties that not only protect the public but recognize the dangers inherent with this profession.

After close review of the proposed rules my concerns are as follows:

- 1) Reciprocity recognition for credentialing of our staff is very important. The City of Wixom Fire Department takes full advantage of training opportunities both, in and out of Michigan. Knowing certification programs that meet or exceed national standards are recognized by the Bureau is very important to the professional development of Wixom firefighters. Administrative bureaucracy is unnecessary and a misuse of valuable resources. I would encourage the following language that adheres to the intent of PA 291 for R 29.404:  
**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**
- 2) Fire departments across the state have demonstrated flexibility on how firefighters can maintain skills and training during the pandemic. Looking to the future, the Bureau must be flexible as it relates to future firefighters obtaining the necessary training to demonstrate the skill and aptitude to qualify for certification. I recommend the board eliminate proposed R 29.405.
- 3) Continuing education is essential and maintaining standards is a vital administrative role. Fire departments across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA). The specific requirements set forth by proposed R 29.418 should read **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Roberts".

Chief Jeff Roberts  
City of Wixom Fire Department

Exhibit 18  
LARA BFS FFTC  
3-24-2021/amk

Fire Department Administration • 1345 North Wixom Road • Wixom, MI  
49393-1407



# Michigan Association of Fire Chiefs

*Proudly Serving Michigan Since 1925*

March 24, 2021

Michigan Office of Administrative Hearings and Rules

## **Testimony Regarding Proposed Rules, 2019-21LR**

Over the last 2 years, many members of the Michigan Association of Fire Chiefs have been active participants in the process to update the Fire Fighters Training Council General Rules both during training council meetings and among meetings within our association.

To assure the rules adequately address concerns within our industry and to ensure the rules comport with the requirements of Public Act 291, we request the following amendments and deletions to the rules dated November 17, 2020 presented at this public hearing. We further request the Bureau of Fire Services to respond to the specific questions raised in this letter relative to the Regulatory Impact Statement (RIS).

### **1. In-State Fire Service Member Reciprocity Recognition for Credentialing.**

- Public Act 291 – MCL 29.369 Section 9 states: The State Fire Marshal, with the approval of a majority of the council, shall develop and administer certification examinations, testing procedures, and reciprocity recognition for credentialing in the various fire service disciplines recognized under this act. The requirements for each fire service discipline must meet the respective professional qualifications in the current and appropriate National Fire Protection Association Standard.
- Proposed General Rules - The current rules as proposed in R 29.404 state:
  - (5) *After the effective date of these rules, a memorandum of understanding (MOU) shall be maintained between the bureau and the third-party approved Pro Board® organization for the bureau to administer certification examinations for all Pro Board® courses in this state.*
    - (a) *All Pro Board® courses must be entered in the bureau's training information network prior to the start date of the course and must follow the bureau's rules and procedures.*
    - (b) *An individual who is a member of a fire department or a public safety department may apply and pay a fee to the third-party approved Pro Board® agency to receive Pro Board® certification that is in addition to a bureau certification that was obtained by passing a bureau's certification examination.*
    - (c) *An individual with council certification as company officer I and II series; fire officer I, II and III; fire instructor I; or fire instructor II*

*prior to the effective date of these rules, may apply and pay a fee to the third-party approved Pro Board® agency to challenge the Pro Board® examination for firefighter I, II, or firefighter I and II, and fire officer I, II, III or fire instructor I and II. To challenge the exam involves already having an MFFTC certification and wanting to acquire a Pro Board® certification by taking the Pro Board® certification exam.*

*(d) An individual with a Regional Alliance for Fire Training (RAFT) certification as fire officer I or fire officer II prior to January 1, 2016 may apply and pay a fee to the third-party approved Pro Board® agency to Challenge the Pro Board® exam for fire officer I and II.*

- Requested Changes to the Proposed Rules – The Michigan Association of Fire Chiefs request this section be deleted in its entirety and replaced with:

- **THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- Justification - The proposed rules create a scenario that requires the Bureau of Fire Services to establish a MOU to administer the certification examinations for any pro board course attended by members of the Michigan fire service in this state.

Pro board was established in 1972 and serves as a system for the accreditation of agencies that certify candidates to the various disciplines and levels identified in the National Fire Protection Association (NFPA) professional qualification series of standards.

There are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across North America, and around the world, including 4 here in Michigan that would require a MOU with the Bureau.

The Pro Board accredited organizations that provide certification examinations within the state of Michigan are:

- The National Fire Protection Association (NFPA) for Fire Inspector I, II and Plans Examiner I.
- The Michigan State Police (MSP) for Fire Investigator and Hazardous Material Technician.
- Fire Department Safety Officers Association (FDSOA) for Incident Safety Officer, Health & Safety Officer and Traffic Control.
- The Regional Alliance for Fire Training (RAFT) for Fire Fighter I, II, I/II, Fire Officer I, II, Fire Instructor I & II.

Replacing the overly complicated and inefficient MOU system described above with reciprocity would resolve the issue requiring the bureau of fire services to get and maintain an MOU from multiple agencies in Michigan that would be created by the adoption of these proposed rules.

## 2. Knowledge Acquisition

- Public Act 291 - MCL 29.369 Section 9 states: The state fire marshal, with the approval of a majority of the council, shall develop and administer certification examinations that include a practical demonstration and a written or oral test to determine a person's competency in regard to the knowledge and skill requirements in the current edition of the National Fire Protection Association standards for each of the fire service disciplines recognized under this act.
- Proposed General Rules - The current rules as proposed in R 29.405 state:
  - (3) *An individual who attends a council-approved firefighter course or courses to qualify for the certification examinations shall comply with both of the following:*
    - (a) *An individual shall not be absent from more than 10% of the total lecture hours of an entire course as validated by the course manager.*
      - (i) *A course manager may provide flexibility in attendance as needed in firefighter courses due to the length of the course and an individual's employment obligations.*
      - (ii) *An individual who is provided flexibility in attendance shall make up missed lecture hours and classes prior to the scheduled ending date of the course.*
      - (iii) *An individual shall meet 90% of the lecture hours and 100% of the practical skills hours.*
      - (iv) *A course manager shall enforce the bureau's make up policy.*
    - (b) *An individual who completes make up training at his or her fire department or public safety department shall complete the bureau's Make Up Training form, BFS-256, for each make up session authorized by the course manager. The fire chief or public safety director shall sign the form and return the form to the course manager for inclusion in the final course paperwork submitted to the bureau via email.*
- The Request - The Michigan Association of Fire Chiefs requests this section be deleted in its entirety.
- The Justification - The requirement for hours is irrelevant as all curriculum is standardized and all students must successfully complete knowledge and skill evaluations for certification. The manner in which the successful candidate achieves the knowledge and skills is irrespective of hours attended.

### 3. Continuing Education Requirements

- Public Act 291 - The standards established under this section must comply with the Michigan Occupational Safety and Health Administration (MIOSHA) general industry safety standard, R 408.17411 of the Michigan Administrative Code. Under the direction of the state fire marshal, the council **may** establish continuing education requirements for maintaining certification under this act.
- Proposed General Rules - The current rules as proposed in R 29.418 state:
  - (5) *The following are the continuing education requirements for each certification classification:*
    - (a) *An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year, in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*
    - (i) *Firefighter continuing education is required for all firefighters in this state, including those individuals who were exempted from fire fighter I or fire fighter II certification due to being employed by a fire department prior to October 1, 1988.*
    - (ii) *A firefighter may apply all common knowledge and practical skill hours necessary to meet subrule (5) (a) of this rule for all fire departments and public safety departments, at which he or she is employed. If 1 of the fire departments or public safety departments has specific duties or functions that exceed those of the other fire departments or public safety departments, the firefighter shall complete that additional specific training.*
- The Request – The Michigan Association of Fire Chiefs request this subsection be modified as follows:
  - (5) The following are the continuing education requirements for each certification classification:
    - (a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall ~~obtain a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.
    - (i) Firefighter continuing education is required for all firefighters in this

state, including those individuals who were exempted from fire fighter I or fire fighter II certification due to being employed by a fire department prior to October 1, 1988.

(ii) A firefighter may apply all common knowledge and practical skill hours necessary to meet subrule (5) (a) of this rule for all fire departments and public safety departments, at which he or she is employed. If 1 of the fire departments or public safety departments has specific duties or functions that exceed those of the other fire departments or public safety departments, the firefighter shall complete that additional specific training.

- The Justification - The proposed rules are required to comply with MIOSHA General Industry Safety Standard, R 408.17411 of the Michigan Administrative Code. The proposed rules include a minimum number of hours for continuing education that are not defined by MIOSHA. The fact that a set number of hours is being proposed could potentially set a department up for failure if a MI-OSHA inspection/investigation were to occur due to an incident. A department would say we met the twelve hours annually set forth by the MFFTC, but MI-OSHA determines that to be inadequate. The number of hours used is a low average of a very wide variance, and varying wider in application to individual agencies across the State. This measurement tool is arbitrary and inappropriate. In addition, it has been the position of Council that the Michigan fire service asked for this. However, the question was not "how would you like to measure this?", the question that was posed by the State Fire Marshal at several town hall meetings was "how many hours do you think would be appropriate?". We continue to believe that training should be competency based, specific to the duties expected to perform, not by a minimum number of hours, potentially creating a conflict.

#### 4. Certifications

- Proposed General Rules - The current rules as proposed in R 29.418 state:
  - (6) - *A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*
    - (a) *Fire officer.*
    - (b) *Fire inspector.*
    - (c) *Fire investigator.*
    - (d) *Airport rescue firefighter.*
    - (e) *Hazardous material responder.*
    - (f) *Technical rescue responder.*
    - (g) *Fire chief.*
    - (h) *Public safety director.*
    - (i) *Plans examiner.*

- *The Request* – The Michigan Association of Fire Chiefs requests subsection 6(g) & (h) be deleted in its entirety.
- *The Justification* – While we believe Fire Chiefs and Public Safety Directors should complete significant education, there is no national standard to meet. Further, the hiring of and standards for Fire Chiefs and Public Safety Directors is a local decision. As a result, while laudable, requiring certification for fire chiefs and public safety directors is not able to be implemented.

## 5. Definitions

- *Proposed General Rules* - The current rules as proposed in R 29.401 state:
  - (i) *"Equivalent" means certifications from another state's certifying agency that meet the NFPA standard for that classification.*
- *The Request* – The Michigan Association of Fire Chiefs requests this definition be deleted in its entirety.
- *The Justification* – The term equivalent is used two times within the proposed rules, for previously issued fire officer certification in R 29.405l and in plans examiner in R 29.405n, although neither of these are being used within the context in which the word is defined. The Merriam-Webster definition of 'equivalent' is adequate and fits the various conditions in which it is used in the document.

## 6. Regulatory Impact Statement

The Regulatory Impact Statement (RIS) filed by the Bureau of Fire Services on January 28, 2021 and approved by the Michigan Office of Administrative Hearings and Rules on February 1, 2021 contains several statements that should be corrected or clarified to illustrate the true cost of the rules and demonstrate how the Michigan proposed rules compare to national standards and the rules in surrounding states.

- *Section 2* – The RIS states that "Ohio, Wisconsin, Indiana grant some form of reciprocity, but the candidate is required to take an exam for each certification they are requesting reciprocity." *This is incorrect.* Ohio requires an individual to take an exam for each level for reciprocity. Indiana only requires an exam for instructor. Wisconsin does not require an exam if the individual has Pro-Board or IFSAC certification. The Wisconsin Fire Education Standards Office does a review and simply provide the individual with state equivalency.

Further in Section 2, the RIS states that "When the new rules go into effect, Michigan will be the easiest state to gain reciprocity without an exam requirement for individuals who are certified in another state, military, or Pro Board, IFSAC, and the National Fire Academy in identified classifications." *This too is incorrect.* Based on the comments in the previous paragraph on other state standards, this is clearly not the case.

Finally, at the end of Section 2, the RIS states that "If these rules are adopted, a Michigan fire service member will need 36 hours within a 3-year period. A fire instructor/fire officer will need an additional 12 hours within the same 3-year period." *This is an incorrect statement.* If you are a fire fighter, you need 36 hours. If you are an instructor, you need an additional 12 hours. The RIS fails to mention that Fire Investigators, Fire Officer, Fire Chief, Airport Rescue Firefighter, Fire Inspector, Hazmat Responders, Tech Rescue Responders and Plan Examiners need an additional 12 hours.

- Section 2A – The RIS states that "Michigan is comparable to other states or has fewer restrictions than Illinois, Indiana, Ohio and Wisconsin for certification, continuing education, reciprocity, and live fire training." *This too is incorrect.* While Ohio is comparable; Wisconsin, Illinois, and Indiana have very limited continuing education requirements.
- Section 6 – The RIS states "The latest update of Public Act 291 (PA 291) requires additional certification training and testing that was not previously mandated for promotions or positions." It also demands continuing education that was not previously required. Firefighters will have to update their certifications and participate in continuing education annually to maintain their position or obtain promotions." This statement seriously misstates the language and intent of PA 291. PA does not MANDATE individuals to obtain certifications for each discipline. It only mandates that a person of a volunteer or paid, on-call status obtain Firefighter 1 within 1 and 2 years of hire. No further mandates are in the act to maintain a position or obtain a promotion. While PA 291 authorizes the general development of general standards, the Authority Having Jurisdiction has traditionally determined what level a person shall be trained to for promotional opportunities - NOT the state – based on the duties performed.
- Section 29 – The RIS states that "There will not be any compliance costs for individuals or the public from the proposed new rules because all costs for training and certification are partially funded by both Firework Safety Fees and the BFS fire fighter training budget." *This is grossly inaccurate.* To state that there are funds available does not in any way address the question – what is the cost of compliance. Further, because the Rules by their own terms require more certifications for promotions, should the two funding sources identified be insufficient, the local fire service or the candidate will have to pay the costs. Also, the current revenue source does not provide for covering of costs associated with personnel wages, for what now would be considered mandatory training, an employer will see significant wage cost associated with these training requirements. We specifically request that the Bureau revise the RIS to accurately estimate the true cost of compliance – not simply the revenue source.
- Section 32 – The RIS states that "For firefighters with aspirations to further their career in the fire service, the proposed rules will help with job creation as well as retention because it lays the foundation of how to obtain higher positions." *The Bureau's statement is nonsensical.* To say that job retention of our existing quality workforce is somehow impacted by requiring more

continuing education hours is illogical at best. Further to focus on improving job access to candidates from other states seems an odd focus for Michigan rules – especially as the proposed rules create more barriers for reciprocity for in-state firefighters than out-of-state.

- Section 35 – The RIS states that “All reasonable alternatives in the rule process were considered by the stakeholder group. With the rules represented by the nine members of the Michigan Fire Fighters Training Council (Michigan Association of Fire Chiefs, Michigan Professional Fire Fighters Union, Michigan Firemen’s Association, Michigan Fire Service Instructors Association, Michigan Fire Inspector Society, Michigan Municipal League, Michigan Township Association, and the Bureau of Fire Services).” *This again is inaccurate.* The Michigan Association of Fire Chiefs asked for several areas to be modified during the stakeholder process. Many of the requested changes – including several key issues - were disregarded.
- Section 35A – The RIS states that “All reasonable alternatives in the rules process were considered by the stakeholder group, with the rules represented by the nine members of the Michigan Fire Fighters Training Council (Michigan Association of Fire Chiefs, Michigan Professional Fire Fighters Union, Michigan Firemen’s Association, Michigan Fire Service Instructors Association, Michigan Fire Inspector Society, Michigan Municipal League, Michigan Township Association, and the Bureau of Fire Services).” The Bureau’s response does not address the question posed by Section 35A.

Thank you for the opportunity to make comments and suggest changes. We look forward to working with the Bureau to remove our objections and improve this rule set.

Sincerely,

Jeff Roberts  
President  
Michigan Association of Fire Chiefs

CC: Donald Bigger, President - MFSIA  
Jack Snyder, President - MSFA  
Mark Docherty, President - MPFFU  
Kyle Svoda, President - MFIS  
William Wild, President - MML  
Peter Kleiman, President - MTA

Exhibit 19  
LARA BFS FFTC  
3-24-2021/amk

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Michigan Office of Administrative Hearings and Rules  
**Jeffery R. Johnson Testimony Regarding Proposed Rules, 2019-21LR**

**Regarding the Draft for Firefighter Training Council Rules PA291:**

Specifically section R 29.405m. Public Safety Director.

Any new Public Safety Director will be required to become Firefighter II within 12 months and Instructor I, Fire Officer I & II within 36 months.

The rules provide no exemption for a Public Safety Director who is strictly serving as an Executive Administrator to oversee a Police and Fire Department Agency. This is unreasonable and should take into consideration a Public Safety Director who does not actively engage in firefighting (inactive) and only functions as the Executive Administrator for an Agency. (see draft section below).

**R 29.405m Classification of public safety director; requirements; reciprocity.**

**Rule 5m. This rule provides the classification for public safety director pursuant in section 9 of the act, MCL 29.369.**

**(1) A public safety director is an individual who meets both of the following:**

**(a) Is certified as a firefighter II or completes the council- approved firefighter II requirements, as specified in R 29.405 within 12 months of the date of hire as a public safety director.**

**(b) Completes the Instructor I course, Fire Officer I course, and Fire Officer II course within 36 months of completing the firefighter II requirements.**

**(2) An individual who is serving at the public safety director level for his or her jurisdiction before the effective date of these rules is considered to have met the requirements of this rule.**

**(3) An individual shall apply to the bureau on the bureau's Training Certification Application form, BFS-205, to receive state certification.**

**Recommend Amending by Adding:**

A Public Safety Director who strictly serves in an Executive Administrator capacity and does not engage in firefighting (inactive) is exempt from the fire training requirements.

**Additionally, I support the Michigan Association of Fire Chiefs with the following outlined concerns specific to the proposed rules:**

1) Reciprocity recognition for Credentialing – Proposed Rule 29.404

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year,~~ **CONTINUING***

***EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.***

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

Thank you for considering my Testimony/Suggested Amendments.

Jeffery R. Johnson  
Fire Chief, City of Novi



**Jeffery R. Johnson** | Fire Chief  
City of Novi | 45125 W. Ten Mile Road | Novi, MI 48375 USA  
t: 248.735.5688 | c: 248.866.8213 | [cityofnovi.org](http://cityofnovi.org)

Sent from [Mail](#) for Windows 10

Exhibit 20  
LARA BFS FFTC  
3-24-2021/amk

# SOUTHFIELD FIRE DEPARTMENT

24477 LAHSER ROAD  
SOUTHFIELD, MI 48033  
TEL: (248) 796-5650  
FAX: (248) 796-5605

JOHNNY MENIFEE, FIRE CHIEF  
ANTONIO MACIAS, DEPUTY FIRE CHIEF



Michigan Office of Administrative Hearings and Rules

## Johnny L. Menifee, Fire Chief Testimony Regarding Proposed Rules, 2019-21LR

I, Johnny L. Menifee, Fire Chief for the City of Southfield Fire Department offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements.

The Southfield Fire Department (SFD) serves the Cities of Southfield and Lathrup Village in Oakland County, Michigan. Our organization represents 93 sworn members who receive ongoing training in an intentional and serious effort to ensure those on the front lines are provided extensive training and instruction so that they can perform their duties to the best of their abilities.

Our review of the proposed rules has raised the following concerns:

- 1) Reciprocity recognition for credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. We have members that received training and certification inside and outside of the State of Michigan. I encourage our firefighters to seek knowledge outside of their own professional 'bubble' and search for best practices across the country.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

***THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD, AT THE TIME OF ISSUE.***

- 2) Exam Requirements – Proposed Rule 29.405
  - I agree and fully support a fire service member meeting the necessary requisite knowledge and skills identified in each professional qualification standard, but in a time of a global pandemic, shrinking departments and staffing challenges, it is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skills and aptitude to qualify for certification. Having a set number of hours or mandatory attendance for training instead of competency-based training can have a negative impact on a department by some individuals choosing to only training to the minimal hours required.

**I recommend the board eliminate proposed R 29.405.**

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### FIRE ADMINISTRATION

BATT. CHIEF CHRIS SMITH

CAPTAIN TIM MILLER

FIRE MARSHAL MICHAEL ALBO

BATT. CHIEF PAT CHARETTE

CAPTAIN RON BALLERINI

CAPTAIN/EMS MELISSA MEDICI

BATT. CHIEF KEN WHEATON

ACT. CAPTAIN JEFF VESCIO

CAPTAIN/TRAINING JASON DENEAU

# SOUTHFIELD FIRE DEPARTMENT

24477 LAHSER ROAD  
SOUTHFIELD, MI 48033  
TEL: (248) 796-5650  
FAX: (248) 796-5605

JOHNNY MENIFEE, FIRE CHIEF  
ANTONIO MACIAS, DEPUTY FIRE CHIEF



### 3) Continuing Education – Proposed Rule 29.418

- It is important that fire personnel maintain standards and continuing education as part of ensuring that all current standards are in practice. Continued education is an important and necessary part of the day to day operation of the S.F.D. Fire stations across the State are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed.

The specific requirements set forth by proposed R 29.418 R 29.418 should read:

***CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA standards in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.***

Sincerely,

Johnny L. Menifee  
Office of the Fire Chief  
Southfield Fire Department

Exhibit 21  
LARA BFS FFTC  
3-24-2021/amk

#### FIRE ADMINISTRATION

BATT. CHIEF CHRIS SMITH

CAPTAIN TIM MILLER

FIRE MARSHAL MICHAEL ALBO

BATT. CHIEF PAT CHARETTE

CAPTAIN RON BALLERINI

CAPTAIN/EMS MELISSA MEDICI

BATT. CHIEF KEN WHEATON

ACT. CAPTAIN JEFF VESCIO

CAPTAIN/TRAINING JASON DENEAU



# **NORTHERN MICHIGAN FIRE CHIEFS**

[www.michiefs.org/nmfca](http://www.michiefs.org/nmfca)

Michigan Office of Administrative Hearings and Rules

## **Northern Michigan Fire Chiefs Association Testimony Regarding Proposed Rules, 2019-21LR**

The Northern Michigan Fire Chiefs Association is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents over 100 members from across Northern Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe, including 4 here in Michigan.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations in Michigan is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Knowledge Acquisition – Proposed Rule 29.405
  - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain

flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

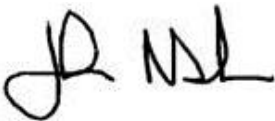
It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year, **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at [jmosher@midland-mi.org](mailto:jmosher@midland-mi.org).

Thank you.



Joshua Mosher  
President  
Northern Michigan Fire Chiefs Association

Exhibit 22  
LARA BFS FFTC  
3-24-2021/amk

**Martin Township Fire and Rescue Testimony Regarding Proposed Rules, 2019-21LR**

The Martin Township Fire and Rescue Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 22 firefighters and Fire officers proudly serving the Townships of Martin and Watson and Village of Martin within Allegan County Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our community. The following outlines these concerns specific to the proposed rules:

1) Reciprocity recognition for Credentialing – Proposed Rule 29.404

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

While we understand and value the importance of continued education and keeping current with the everchanging information and best tactics in the industry, we ask that you consider the rural agencies within our state. Our department personally as a rural agency utilizing paid on call staff only are struggling to keep an adequate number of firefighters on our roster and the additional burden be placed on them if these rules pass will make it increasingly difficult to recruit and retain firefighters.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at the information provided below.

Thank you.

Kurt Knight  
Fire Chief  
Martin Township Fire and Rescue  
269-760-0148  
martinfire@martintownship.org

Exhibit 23  
LARA BFS FFTC  
3-24-2021/amk



*City of*  
**WAYNE**

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MAR 19 2021

MICHIGAN OFFICE OF ADMINISTRATIVE  
HEARINGS AND RULES

Michigan Office of Administrative Hearings and Rules  
Attention: **Executive Director: Suzanne Sonneborn**  
Ottawa Building  
611 W. Ottawa  
P.O. Box 30004  
Lansing, Michigan 48909

**City of Wayne, Michigan: Testimony Regarding Proposed Rules, 2019-21LR**

The City of Wayne, Michigan is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 15 firefighters and a Fire Chief that serve the City of Wayne. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

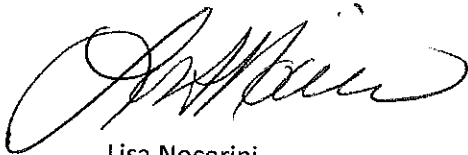
- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact my office.

Thank you.

Sincerely,



Lisa Nocerini  
City Manager  
City of Wayne, Michigan

Cc: Honorable Kevin Coleman, Michigan State Representative  
Honorable Dayna Polehanki, Michigan State Senator

**Matt Overholt Testimony Regarding Proposed Rules, 2019-21LR**

Matt Overholt is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Exam Requirements – Proposed Rule 29.405
  - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

- 3) Continuing Education – Proposed Rule 29.418
  - R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity

to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at 269-506-7854 or Colonfire900@gmail.com.

Thank you,

Matt Overholt  
Fire Chief  
Colon Community Fire and Rescue

---

**Subject:**

FW: Fire Fighter Training- Administrative Rules Public Comment.

Michigan Office of Administrative Hearings and Rules

**Fire Chief Max Kulpinski Testimony Regarding Proposed Rules, 2019-21LR**

Max Kulpinski is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

1) Reciprocity recognition for Credentialing – Proposed Rule 29.404

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Fire departments across our great state protect a wide spectrum from mostly forests to densely populated and industrial communities. It is not practical nor economical to mandate one size fits all continuing education requirement(s). Every community and department should work together to ensure firefighters operate safely and effectively. Many townships in this state are not required to provide fire protection at all. I think the committee should give more consideration to historical firefighter death and injury statistics to prove this additional training would be substantially beneficial.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at (269) 580-6648

Thank you,  
Max Kulpinski  
Fire Chief  
Tri-Township Fire Department

Exhibit 26  
LARA BFS FFTC  
3-24-2021/amk



March 24, 2021

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR  
March 18, 2021**

I am submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, I am concerned about the proposed requirements that states the following:

- (6) - *A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*
- (a) *Fire officer.*
  - (b) *Fire inspector.*
  - (c) *Fire investigator.*
  - (d) *Airport rescue firefighter.*
  - (e) *Hazardous material responder.*
  - (f) *Technical rescue responder.*
  - (g) *Fire chief.*
  - (h) *Public safety director.*
  - (i) *Plans examiner.*

Of particular concern to me is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continued operational training requirements for a classification that does not exist is not reasonable.

In addition, I feel that it is important to point out that the position of Public Safety Director is an administrative position, not an operational position. For instance, in my case, I am certified by the State of Michigan as a firefighter I and II. I also have a Master of Science Degree in Public Administration. As an administrator I use the knowledge I learned in graduate school much more than the technical training I received in the fire academy. In my opinion the fire service needs to focus more on the administrative and leadership skills of fire chiefs and public safety directors as opposed to the technical skills of firefighting and managing the fire ground. Company officers in the fire service are more than capable of handling the technical aspects of fighting fires, managing the fire ground, and using the Incident Command System. It should also be noted that the State of Michigan does not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy. However, most local hiring authorities do require state certification through MCOLES, in addition to a college degree to be a chief law enforcement officer.



Page 2

In closing, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments. I can be reached at 989-894-0904.

Respectfully,

Michael J. Cecchini  
Public Safety Director

MJC/bwh

Exhibit 27  
LARA BFS FFTC  
3-24-2021/amk

**Firefighter Michael O. McLeieer Testimony Regarding Proposed Rules, 2019-21LR**

I, Michael O. McLeieer, am offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. As a 25-year veteran of the fire service, certified Pro-Board fire service instructor level III and contact instructor for the National Fire Academy, I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

1) Reciprocity recognition for Credentialing – Proposed Rule 29.404

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**I recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**I recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our villages, cities and townships. We need to provide our firefighters with every opportunity to obtain nationally recognized certification and additional professional development opportunities. I appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me via email at [michael.o.mcLeieer@escapeinc.org](mailto:michael.o.mcLeieer@escapeinc.org) or by phone at (269) 492-3340.

Thank you for your time.

Sincerely,



Michael O. McLeieer  
Firefighter  
PO Box 2977  
Kalamazoo, MI 49003-2977  
Kalamazoo County

Exhibit 28  
LARA BFS FFTC  
3-24-2021/amk

# Copper Country Volunteer Firefighters Association

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March 18, 2021

Department of Licensing and Regulatory Affairs  
Bureau of Fire Services  
Fire Fighter Training-Administrative Rules Public Comment  
2407 N. Grand River, P.O. Box 30700,  
Lansing, Michigan 48909

Mr. Chad Tacket, Chairperson, and other members of the Fire Fighters Training Council:

Thank you for the opportunity to comment on the proposed Fire Fighters Training Council General Rules. I am writing on behalf of the Copper Country Volunteer Firefighter Association. The Association represents 35 fire departments from Baraga, Houghton, Keweenaw, and Ontonagon counties.

Our comments are concerning:

1. The composition of the draft rules document.
2. The Regulatory Impact Statement & Cost-Benefit Analysis of the rules.

## **The Composition of the draft rules document.**

The definition of firefighter has been remove from the rules. It may be include by reference, but we think it is helpful to have it present in the document.

"Firefighter" means a member, including a volunteer member and a member who is paid on call, of an organized fire department that is responsible for, or is in a capacity that includes responsibility for, the extinguishment of fires, the directing of the extinguishment of fires, the prevention and detection of fires, and the enforcement of the general fire laws of this state. Fire fighter does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression

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Rule 18 section (6), (7), & (8) should actually be part of Section (5)(b) regarding Fire Instructor Continuing Education, as subsections (v), (vi), and (vii).

The rules contain redundant sections describing reciprocity (Pro Board, another state, or Armed Forces) across the various classifications that could be consolidated.

The rules contain redundant sections specifying the progression from Fire Instructor I to II to III that can be consolidated. The rules for the progression through the Fire Officer classifications are similarly repetitive.

We are pleased to see the inclusion of Rules 16 and 17 codifying the make-up of the County Training Committee, duties of the committee, and duties of the chairperson.

### **Regulatory Impact Statement & Cost Benefit Analysis**

The Council has failed to recognize the impact and cost of the proposed rule changes to volunteers and volunteer agencies, particularly those in low population density, low tax base and rural areas. (In what follows, items in bold are from the Impact Statement. Underlining added for emphasis.)

Question 16 of the Regulatory Impact Statement & Cost-Benefit Analysis (the Impact Statement) asks, **“In general, what impact will the rules have on rural areas?”**, and answers, **“The new proposed rules will not have any additional impact to rural areas, as rural areas currently must be following R 408.17411 of MIOSHA Part 74, in which departments are responsible for maintaining records for their employees for initial and continual education.”**

This non-answer contends the rules have no impact on rural areas because rural areas already have to keep records.

Answering Question 7 of the Impact Statement, the Council states the obvious, that **“There will be added costs and time associated with the additional training and certification requirements of the new proposed rules.”**

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Yet, in response to Question 29, the Council states, **“There will not be any compliance costs for individuals or the public from the proposed new rules because all costs for training and certification are partially funded by both Firework Safety Fees and the BFS fire fighter training budget.”**

So, there are costs, just not to individuals.

This response may be because the Legislature and the Council persist in imagining that all firefighters and emergency responders are employees and all fire and emergency response agencies are employers who will bear the costs. The answer to Question 12 in the Regulatory Impact Statement & Cost-Benefit Analysis (the Impact Statement) says, **“... MIOSHA Part 74, R 408.17411 ... states; “ (1) An employer shall comply with all of the following requirements...”**

In addition, MIOSHA Part 74, R 408.17412. , is titled: Duties of employee. And requires that, **“An employee shall do all of the following...”**. One type of training required by Part 74 is Rule (1)(d) **“A requirement for initial training and annual refresher training in emergency operations and the incident management system.”**

Answer 29B says, **“... the new proposed rules will require members of the fire service to minimally meet and test to the current NFPA standard(s) for their position(s) within the fire department. This will ensure that firefighters and fire officers are more knowledgeable and certified to their position, creating a safer and more beneficial work environment.”**

Answer 32 states, **“For firefighters with aspirations to further their career in the fire service, the proposed new rules will help with job creation as well as retention because it lays the foundation of how to obtain higher positions.”**

In the eyes of the Legislature and the Council, we are all employees and employers. However, there are economic and cultural differences between the **“2,249 Cadets, 72 Explorers, 7,622 Paid Firefighters, 4,074 Non-Paid Firefighters, and 15,065 Part-Paid Firefighters (who) will be affected by the new proposed rules.”** , as enumerated in the answer to Question 29A.

The volunteers and part-paid firefighters are not at the station during their work hours between calls, training, or servicing equipment or an apparatus. They take time out of their non-work time to do these things. For the 4074 Non-Paid, and I suspect for most of the 15, 065Part-Paid Firefighters it is not a career, it is community service.

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When the Council says there will, (Question 7) or will not, (Question 29) be additional costs due to the new rules, it glosses over the current costs of basic training for entry into the fire service. For example:

### **Firefighter Initial Training**

- Firefighter I & II/Hazmat Ops 295 Instruction hours
- VFIS Driver Training 8 Instruction Hours
- Incident Command and Resource Management Fire Service 14 Instruction hours
- 317 Total Instruction Hours

These nearly eight workweeks of initial training pose a high barrier to entry for volunteer and paid-on-call firefighters. There is no well paying job waiting, and the example doesn't include other common training such as Vehicle Extrication, Pump Operations, and Tanker Shuttle operations. This example also ignores study, homework and skills practice time outside the classroom, which varies, but one hour of outside class time to one hour of instruction seems low.

The new rules add the requirement for Continuing Education for a Firefighter with Hazmat Ops (which is everyone these days) of 48 hours over 3 years, not the 36 hours stated in the Impact Statement answer to Question 2.

The proposed rules impose the following additional minimums for Fire Chief. We have added here additional Part 74 requirements for Incident Management training.

### **Fire Chief Initial Training**

- NFPA 1041 Instructor I Course 40 Instruction hours
- NFPA 1021 Fire Officer I 70 Instruction hours
- NFPA 1021 Fire Officer II 55 Instruction hours
- Intermediate ICS for Operation 1st Responders 24 Instruction hours
- Advanced ICS for Operation 1st Responders 16 Instruction hours
- 205 Total Instruction Hours

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Again, the Council is erecting a barrier to volunteer service. Remember that these five weeks of training come from a volunteer or paid-on-call firefighter's personal non-work time. The example also ignores other common training such as Incident Safety Officer or Strategy and Tactics, and study and homework time outside of class.

Question 34. says, "Identify the sources the agency relied upon in compiling the regulatory impact statement, including the methodology utilized in determining the existence and extent of the impact of the proposed rules and a cost-benefit analysis of the proposed rules."

Council answers, "We are basing it on the county allocations budgeted by the Bureau of Fire Services with the approval of the Michigan Fire Fighters Training Council using Fireworks Safety Fees as identified in PA 291. "

The answer does not describe a methodology.

Question 34A, asks, "How were estimates made, and what were your assumptions? Include internal and external sources, published reports, information provided by associations or organizations, etc., that demonstrate a need for the proposed rules."

Council answers, "The Michigan Fire Fighters Training Council, which is an appointed body, has met 43 times since February of 2018 to consider, frame, and compromise to develop a rule set that will meet the needs and limitations of all 83 Michigan counties."

No sources, published reports, or information provided by associations or organizations are cited except that the Council met 43 times.

Question 35 States, "Identify any reasonable alternatives to the proposed rules that would achieve the same or similar goals."

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Council's answers, "All reasonable alternatives in the rules process were considered by the stakeholder groups, with the rules represented by the nine members of the Michigan Fire Fighters Training Council (Michigan Association of Fire Chiefs, Michigan Professional Fire Fighters Union, Michigan Firemen's Association, Michigan Fire Service Instructors Association, Michigan Fire Inspectors Society, Michigan Municipal League, Michigan Townships Association, and the Bureau of Fire Services)."

The proposed rules and the Impact Statement show no evidence the Council acknowledged economic and cultural differences between career and volunteer departments. Nor do the documents show that the Council examined alternatives to the proposed rules for volunteers and volunteer agencies, particularly those in low population density, low tax base and rural areas. These agencies already face recruitment, training, and funding challenges. The proposed rules will do nothing to help overcome those challenges.

Finally, the Council has plainly failed to answer or address several items in the Impact Statement; namely items 16, 29, 34, and 35.

Sincerely,

Mike Pionke, President  
Copper Country Volunteer Firefighter Association

## **CCVFA Executive Board**

President, Michael Pionke (Chief) – Stanton Township Volunteer Fire Department  
1<sup>st</sup> Vice President, Darren Niemi – Adams Township Fire & First Responders  
2<sup>nd</sup> Vice President, Patrick Boberg (Chief) - Calumet Township Fire & Rescue  
3<sup>rd</sup> Vice President, John Dittman – Bootjack Fire & Rescue  
Secretary, Annette Butina - Adams Township Fire & First Responders  
Treasurer, Dan Zubiena (Chief) - Laurium Fire Department  
Trustee, Dan Dulong(Chief) - Quincy Franklin Hancock Township Fire Department  
Trustee, Michael Mayo – Aura Fire Department  
Trustee, Curtis Judson – Chassell Volunteer Fire & Rescue

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## CCVFA Member Departments

### **Baraga County**

Aura Fire Department  
Baraga Fire Department  
Covington Fire Department  
Keweenaw Bay Fire  
L'Anse Fire & Rescue  
Pelkie Fire Department

### **Houghton County**

Adams Township Fire  
Bootjack Fire & Rescue  
Calumet Township  
Calumet Village  
Chassell Vol Fire & Rescue  
Dollar Bay Fire Department  
Hancock Fire Department  
Houghton Fire Department  
Hubbell Fire Department

Hurontown Fire & Rescue  
Laird Township Fire Department  
Lake Linden Fire Department  
Laurium Fire Department  
Otter Lake Fire  
Quincy Franklin Hancock Township  
Ripley Fire Department  
Stanton Fire Department  
South Range Fire Department  
Tamarack Fire Department  
Toivola Fire Department  
Twin Lakes Fire Department  
Duncan Township Fire

### **Ontonagon County**

Greenland Township Fire  
Ontonagon Fire Department

Exhibit 29  
LARA BFS FFTC  
3-24-2021/amk



City of  
**Bloomfield Hills**

Noel Clason  
Director of Public Safety

**Department of Public Safety**  
45 East Long Lake Road, Bloomfield Hills, Michigan 48304



23 March, 2021

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

To whom it may concern,

As the Director of Public Safety and a member of Michigan Association of Chiefs of Police, I am in opposition of Proposed Rules 2019-21LR with the inclusion of 6(h). As the current Director of Public Safety for the City of Bloomfield Hills, Michigan, I do hold the necessary requirements as proposed but, do not agree it is necessary for the position as top Administrator. The Director is chosen by elected Officials and vetted thoroughly to be qualified in this position.

As any Director should be, he is responsible to his governing body as well as the community to assure his Command Staff and Officers have the necessary qualifications and certifications to be compliant and effective. To state the Director needs additional certifications and continuing educational credits not necessary in his or her scope of responsibility seems redundant.

I respectfully oppose and appreciate you taking the time to read this.

Regards,

Noel Clason, Director of Public Safety  
Bloomfield Hills, Michigan  
[nclason@bloomfieldhillspolice.com](mailto:nclason@bloomfieldhillspolice.com)  
248-644-4200

Exhibit 30  
LARA BFS FFTC  
3-24-2021/amk



(248) 644-4200



(248) 644-0972



[www.bloomfieldhillspolice.com](http://www.bloomfieldhillspolice.com)



[@bloomfieldhillsdps](https://www.facebook.com/bloomfieldhillsdps)

**Fennville Area Fire Department Testimony Regarding Proposed Rules, 2019-21LR**

The Fennville Area Fire Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 18 firefighters/Chiefs across the Fennville City and Manlius Township. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Exam Requirements – Proposed Rule 29.405
  - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact Fire Chief Paul Hapke

Thank you.

*Paul Hapke*

Paul Hapke  
Chief  
Fennville Area Fire Department



# CITY OF BIRMINGHAM FIRE DEPARTMENT

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572 SOUTH ADAMS • BIRMINGHAM, MICHIGAN 48009 • 248.530.1900 FAX 248.530.1950

Michigan Office of Administrative Hearings and Rules

## **Chief Paul Wells, Birmingham Fire Department Testimony Regarding Proposed Rules, 2019-21LR**

The Birmingham Fire Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 36 fulltime firefighters in the City of Birmingham. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Exam Requirements – Proposed Rule 29.405
  - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.



# CITY OF BIRMINGHAM FIRE DEPARTMENT

---

572 SOUTH ADAMS • BIRMINGHAM, MICHIGAN 48009 • 248.530.1900 FAX 248.530.1950

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*



# CITY OF BIRMINGHAM FIRE DEPARTMENT

---

572 SOUTH ADAMS • BIRMINGHAM, MICHIGAN 48009 • 248.530.1900 FAX 248.530.1950

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at (248) 318-1777 [pwells@bhamgov.org](mailto:pwells@bhamgov.org)

Thank you.

Paul Wells  
Fire Chief/Emergency Manager  
Birmingham Fire Department

Exhibit 32  
LARA BFS FFTC  
3-24-2021/amk



## CITY OF NILES

March 24, 2021

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR  
March 18, 2021**

The City of Niles is submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, we are concerned about the proposed requirements that states the following:

*(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire officer.*
- (b) Fire inspector.*
- (c) Fire investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

Of particular concern to the MACP is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

In addition, we feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. This is well recognized by the State of Michigan, as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

The City of Niles is absolutely opposed to this proposed change.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Huff".

Richard Huff  
City Administrator

Exhibit 33  
LARA BFS FFTC  
3-24-2021/amk

Member Michigan Municipal League

333 N. 2<sup>nd</sup> St., Ste. 301

Niles, Michigan 49120

Phone 269.683.4700 x 3011

[nilesmi.org](http://nilesmi.org)

Fax 269.684.3930



# MICHIGAN ASSOCIATION OF CHIEFS OF POLICE

3474 Alameda Pkwy, Ste 600 ♦ Okemos, MI 48864

Phone: 517.349.9420

[www.michiganpolicechiefs.org](http://www.michiganpolicechiefs.org)

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Grand Blanc Township

First Vice President  
Chief Larry Weeks  
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Executive Director

Neal A. Rossow  
Director of Professional Development  
Accreditation Program Director

Janeice Morrow  
Executive Assistant

Briann Banas  
Member & Communications Specialist

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

## Re: Testimony Regarding Proposed Rules, 2019-21LR March 18, 2021

The Michigan Association of Chiefs of Police are submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, we are concerned about the proposed requirements that states the following:

- (6) - *A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*
- (a) *Fire officer.*
  - (b) *Fire inspector.*
  - (c) *Fire investigator.*
  - (d) *Airport rescue firefighter.*
  - (e) *Hazardous material responder.*
  - (f) *Technical rescue responder.*
  - (g) *Fire chief.*
  - (h) *Public safety director.*
  - (i) *Plans examiner.*

Of particular concern to the MACP is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

In addition, we feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

In closing, the MACP strongly opposes Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,

Robert M. Stevenson

Exhibit 34  
LARA BFS FFTC  
3-24-2021/amk



# CITY OF WHITEHALL

## POLICE DEPARTMENT

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR**  
**March 18, 2021**

I personally would like to make the following comments regarding Proposed Rules 2019-21LR. As part of Michigan's first responder community, I am concerned about the proposed requirements in Section (6)(h) that includes Public Safety Directors and appears to require they hold a firefighter certificate and participate in continuing education.

Leadership and administrative skill should be the criteria for a Public Safety Director. Local communities should be able to determine which candidates meet their criteria for Public Safety Director and communities have chosen individuals that have served as a police officer and firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required should be made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

In addition, I feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. That is also reflected in the Fire Fighter Training Council General Rules 29.401 and recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy. It is my sincere belief and experience that a good Public Safety Director will recognize their professional limitations and delegate management duties appropriately.

In closing, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,

Roger D Squiers, Chief  
Whitehall Police Department

Exhibit 35  
LARA BFS FFTC  
3-24-2021/amk



ROBERT W. KIRK \*  
ROBERT S. HUTH, JR.  
CRAIG W. LANGE  
RAEHEL M. BADALAMENTI  
MARYANNE J. DENEWETH  
MICHAEL C. TAYLOR  
ROSEMARY V. DAVIS  
PATRICK S. MCKAY  
ELIZABETH P. ROBERTS  
ROBERT T. CAROLLO, JR.  
RYAN J. L. FANTUZZI \*\*  
MICHAEL J. PETRUS  
BRANDON N. KASTAW

\* Also Member of Florida Bar  
\*\* Also Member of Virginia Bar

19500 HALL ROAD  
SUITE 100  
CLINTON TOWNSHIP, MICHIGAN 48038  
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SUITE 202  
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WRITER'S E-MAIL: [rfantuzzi@KirkHuthLaw.com](mailto:rfantuzzi@KirkHuthLaw.com)  
FACSIMILE: (586) 412-4949

March 24, 2021

Department of Licensing and Regulatory Affairs  
Bureau of Fire Services  
Administrative Rules for Fire Fighters Training Council  
Rule Set 2019-21 LR

**Re: Public Safety Directors**

Dear Department of Licensing and Regulatory Affairs:

As a labor and employment lawyer who represents Michigan municipalities that operate public safety departments, I oppose certain portions of the proposed rules. I oppose particular aspects of the proposed rules as they relate to public safety directors. Under proposed Rule 29.405m, public safety directors will be required to attain firefighter II certification within 12 months of date of hire as a public safety director. Rule 29.405m also requires public safety directors to complete Instructor I, Fire Officer I, and Fire Officer II within 36 months of completing the firefighter II requirements. Rule 29.418 requires that public safety directors take continuing education classes.

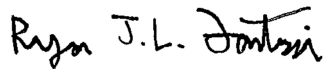
I oppose Rule 29.405m and Rule 29.418 (as it relates to public safety directors) for three broad reasons. First, these proposed rules will not increase the public safety. The primary job function of a public safety director is administrative. Actual hands-on-the-hose work is rare for those running a public safety department. Consequently, administrative skill sets are much more important for these positions than line-level job skills. Second, these rules strip local control away from the communities who have the right and the duty to determine the qualifications of those who will lead their public safety departments. These rules are anti-democratic. Third, the rules as they relate to public safety directors are unnecessary and wasteful. Because the job functions of a public safety director differs greatly from that of a firefighter or a fire inspector, public safety directors will have little to learn from training directed at those positions. Moreover, the form of continuing education is also wasteful and unnecessary. Rather than self-study, which all professionals do, the rule appears to mandate continuing education through

seminars and conferences. Learning through seminars and conferences can be useful, but often there are less expensive and more efficient means for conveying the information. Public safety directors as a whole are educated professionals who deserve deference in determining the quantity and type of continuing education that is most appropriate for their particular circumstance.

I recommend that LARA remove all mention of public safety directors from these rules. As for other aspects of the rules I express no opinion.

Respectfully yours,

**KIRK, HUTH, LANGE &  
BADALAMENTI, P.L.C.**

A handwritten signature in black ink, appearing to read "Ryan J. L. Fantuzzi". The signature is written in a cursive, flowing style.

Ryan J. L. Fantuzzi

Exhibit 36  
LARA BFS FFTC  
3-24-2021/amk



Michigan Office of Administrative Hearings and Rules

### **Kent County Association of Fire Chiefs Testimony Regarding Proposed Rules, 2019-21LR**

The Kent County Association of Fire Chiefs is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 29 Fire Chiefs across Kent County, Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

1) Reciprocity recognition for Credentialing – Proposed Rule 29.404

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. Currently, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above.

Thank you,

*Sam Peterson*

Sam Peterson, President  
Kent County Association of Fire Chiefs

Thea Dornbush  
291 N. Sheridan Drive  
Muskegon, MI 49442

March 24, 2021

Department of Licensing and Regulatory Affairs  
Bureau of Fire Services  
2407 N. Grand River, P.O. Box 30700  
Lansing, MI 48909

To whom it may concern,

My name is Thea Dornbush. I currently serve the community and firefighters of Muskegon Charter Township as their Deputy Chief. I am a Michigan Fire Service Instructors Association board member. I have been a Michigan Fire Service Instructor since 2003 and actively instruct MI FFTD courses all over the state. I serve as a board member of the Michigan Fire Service Instructors Association.

Thank you for allowing me an opportunity to voice my opposition to passing these rules in their present form.

While I can appreciate how long it has taken to bring the proposed rules to their present form, I do not believe that time should be a measure of completeness. I also do not believe that the entirety of the proposed rules will serve the Michigan Fire Service as the writers of Public Act 291 had intended.

I agree that we need to elevate our training and qualification standards and whole-heartedly support aligning all issued certifications and all fire service disciplines with the most up-to-date NFPA standards. As a Chief Officer and long-time Fire Service Instructor, I am excited to experience the potentially improved services we can provide the residents and visitors of our state because we elevated our minimum standards.

I support NFPA certification reciprocity but do not support the notion that an MOU is required for this reciprocity. If a certification issuing organization is verified or accredited for meeting the current NFPA standards, reciprocity should be given. I cannot understand the need for the BFS to establish and maintain MOUs with RAFT to issue Pro-Board certifications. Why are the other Pro-Board accredited organizations not being held to the same MOU requirement? If the BFS desires to issue Pro-Board certificates, steps should be taken for the Fire Fighter Training Division to become Pro-Board accredited. I fear requiring MOUs for reciprocity may lead to further confusion about the "validity" of my NFPA certificate because it was not earned from a "Michigan approved /MOU holding" organization.

I support continuing education requirements that comply with MIOSHA GIS part 74, as established in Public Act 291. I do not support arbitrarily assigning a number of hours to each fire service discipline.

Attending a training hour is not the same thing as being trained to do the work of a firefighter. MIOSHA says we are to be trained commensurate to our duties. It does not say "a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year, in firefighting knowledge and practical skills" is adequate. Let the MIOSHA part 74 committee finish revising their section of the general industry standard before committing to a set number of hours that may not even show the "right" training has been obtained or to a level that is appropriate. Perhaps, we will find that evaluating NFPA JPRs that correspond to the jobs we do would be a more appropriate measure of continuing education and training.

I support the improvement and betterment of the Michigan Fire Service and believe that the work on the proposed rules is not done. I believe it'll take time to get it completed. I recognize all the effort that has been given to get this far. I urge you to direct the MFFTC not to quit, even though it's already taken 150 hours. Implore them to continue working on these rules until they are suitable for our Michigan firefighters, fire departments, communities, and citizens.

Respectfully submitted,

A handwritten signature in cursive script that reads "Thea Dornbush".

Thea Dornbush

March 22, 2021

Dear Members of the Fire Fighter's Training Council,

We are taking this opportunity to voice concerns we have about the Draft Firefighters Training Council General Rules that are going to public hearing on March 24, 2021. This letter is written on behalf of the Marquette County Firefighter's Association. Our specific concern is focused on Part 2. Classifications, R. 29.405a Classification for fire chief: requirements; reciprocity.

Our Association represents the 17 fire departments that cover the 3,425 square miles that makes up Marquette County. This includes 3 Cities, 2 Charter Townships and 17 General Law Townships. We have a population of roughly 67,000 people. Of our 17 fire departments one is full time, one has three (3) full time employees along with paid on call, and the rest are a combination of paid on call and true volunteer departments.

## **Background**

The majority of our roughly 300 firefighters in Marquette County have fulltime jobs besides the work they do for their fire departments. Most of the major employers in our County are industrial, mining, logging, etc. meaning many of these men and woman are shift workers. Their schedules constantly change; nights, days, afternoons, weekdays, weekends, and holidays.

Of our 17 departments, 12 are in General Law Townships and some of them cover more than one Township. Some townships are 20 miles apart. They hold elections for their officer positions every 2-4 years depending on their department by-laws. This means that they have the potential to have a new chief in each election cycle.

Our biggest concern with the previously stated Fire Chief Classification is the certification of the Fire Chiefs. Having a fire chief now become Instructor I and Fire Officer I & II to become certified as a fire chief is too much. Instructor I is a 40-hour course and Fire Officer I & II is an 80-hour course. While we feel that having some type of common threshold is important to the safety of fire department personnel and communities, we also feel what is being proposed is too much for an average part paid or volunteer fire fighter to accomplish. It is a struggle for most departments to keep an adequate number of people on their roster. Reviewing national trends from the National Fire Protection Agency (NFPA) and the National Volunteer Fire Council (NFC), part-paid and volunteer fire departments are struggling with membership recruitment and retention. Call volumes continue to rise and have nearly tripled in 30 years. These alarming trends are present in Marquette County as well across the state.

Family dynamics have changed along with increased demands on workers not allowing time for civil service. Potential new fire department members have stated that they just do not have the extra time to get through a Fire Fighter I & II certification course. While we absolutely understand why each new member must go through those classes, the requirement would now expect members who may want to take on the chief's role, to take many additional hours of classes just to be the chief. Taking the additional

training to become a fire chief into someone's normal life, which balances family and work demands, personal life, fire calls and fire department training requirements into account, puts significant strain on this process. Part-paid and volunteers take vacation from their career job or give up weekends for additional training and generally are unpaid.

We have multiple departments that respond to less than 50 calls per year, a few respond to less than 20 calls a year. Potential fire chiefs of these departments could spend more time going through certification training to become chief in their tenure than time on fire calls.

Furthermore, the classes themselves are expensive to put on. We are lucky in Marquette County as with our size and population we receive more training funds than many areas around us, however to cover a Fire Fighter I & II class, Instructor I class, and Fire Officer I & II classes each year our entire budget would be gone. We use that money to bring in instructors from our local area as well as from around the country for instructional classes in our rural community. These include but are not limited to flashover simulators, gas safety training, incident command, tanker shuttle, and extrication, just to name a few. If the monies received are now to cover Fire Fighter I & II and the chief certification courses, the other extremely valuable training course could go away thus putting each department into significant risk. The hands-on training that all department members benefit from and look forward to will no longer be available. This is a problem because most of our departments do not have the financial resources or means to provide and pay for these types of hands-on trainings.

### **Recommendation**

We asking for the proposed rules be re-examined to a better approach for the fire service in Michigan as a whole. Why does a fire chief need to be Fire Instructor I certified? If this individual wanted to teach courses, they could become Fire Instructor I Certified. Focusing efforts on recruitment and retention to encourage new members for departments and keep them for many years would be a solid start to building the foundation better for the fire service in Michigan. Once the foundation was solid, a more focused look and discussion regarding fire chiefs would be necessary. Should departments not have a qualified fire chief, what will happen to those departments with no true leadership?

Thank you for the opportunity to share our concerns regarding the Department of Licensing and Regulatory Affairs Firefighters Training Council General Rules comment period. We hope that you will consider our letter in your discussion prior to submitting them to Secretary of State. Respectively, in our opinion, parts of these potential adopted rules will affect those part-paid and volunteer rural fire departments that communities around the state and country rely on fire critical life safety services. It would be devastating that new adopted rules would cause fire departments to make tough decisions about their future.

Respectfully Submitted by the Board of the Marquette County Fire Fighter's Association.

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Michigan Office of Administrative Hearings and Rules  
Thomas Talbot Testimony Regarding Proposed Rules, 2019-21LR

Thomas Talbot is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

**Reciprocity recognition for Credentialing – Proposed Rule 29.404**

Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

**Exam Requirements – Proposed Rule 29.405**

As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete

knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

#### Continuing Education – Proposed Rule 29.418

R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department MAY establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year, CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.
- (b) Fire Inspector.
- (c) Fire Investigator.
- (d) Airport rescue firefighter.
- (e) Hazardous material responder.
- (f) Technical rescue responder.
- (g) Fire Chief.
- (h) Public safety director.
- (i) Plans examiner.

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at [cftraining9@gmail.com](mailto:cftraining9@gmail.com)

Thank you.

Thomas Talbot  
Training Captain  
Colon Community Fire and Rescue

**Capt. Travis Heiman Testimony Regarding Proposed Rules, 2019-21LR**

Capt. Travis Heiman is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
  - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

**THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

- 2) Exam Requirements – Proposed Rule 29.405
  - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

**We recommend the board eliminate proposed R 29.405.**

- 3) Continuing Education – Proposed Rule 29.418
  - R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

*(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

**We recommend striking (6)(g) and (h) of the proposed rule.**

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity

to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at [captain@whitepigeontwp.com](mailto:captain@whitepigeontwp.com)

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Thank you.

Travis Heiman  
Captain/ Training Officer  
White Pigeon Fire Department



# CITY OF HARPER WOODS

## DEPARTMENT OF PUBLIC SAFETY

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*Director*

**Vincent J. Smith**

*Deputy Chief*

**Ted R. Stager**

*Captain-Fire-EMS:*

**David C. Mehl**

**Nathan P. Butler**

**Kevan P. Kochan**

Michigan Office of Administrative Hearings and Rules  
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR  
March 18, 2021**

I concur with the Michigan Association of Chiefs of Police and their submitted comments to Proposed Rules 2019-21LR. As a first responder, I am concerned about 6 (h) *public safety director* being included in the following proposed requirement:

*(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification.*

I concur with the MACP comments that local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

MACP also comments that the position of Public Safety Director is an administrative position. I concur with the MACP as this language appears in City of Harper Woods Ordinance Sec. 20-71: "The Department of Public Safety shall be headed by the director of public safety who shall be an administrative officer of the city".

In closing, I also strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions about my comments, please feel free to contact me.

Respectfully,

Vincent J. Smith

Director of Public Safety

Exhibit 42  
LARA BFS FFTC  
3-24-2021/amk