COMPENSATION OF INJURED FIRE FIGHTERS
Act 9 of 1942 (1st Ex. Sess.)

AN ACT providing for compensation to certain fire fighters injured in the safeguarding of life and property, and payment to the surviving spouse and dependents in case of death; and to make an appropriation therefor.

History: 1942, 1st Ex. Sess., Act 9, Imd. Eff. Jan. 28, 1942;—Am. 1983, Act 207, Imd. Eff. Nov. 10, 1983.

The People of the State of Michigan enact:

419.201 Application of act; jurisdiction of fire department in emergency; "fire department" defined.

Sec. 1. (1) This act applies, in the safeguarding of life and property from damage due to explosion, fire, or other disaster however caused, in circumstances that the bureau of fire services created in section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b, determines to be of such an emergency character as to affect the welfare and safety of the people of this state. Any organized city, village, or township fire department shall cooperate with the bureau of fire services in any such emergency, and shall have, in the emergency, the same authority and powers outside its own city, village, or township as if the fire department were in its own city, village, or township.

(2) As used in this act, "fire department" means lawfully organized fire fighting forces, however constituted, including personnel.

History: 1942, 1st Ex. Sess., Act 9, Imd. Eff. Jan. 28, 1942;—CL 1948, 419.201;—Am. 2006, Act 203, Imd. Eff. June 19, 2006.

Compiler's note: For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

419.202 Firemen; disability incurred outside locality of jurisdiction; compensation, amount, time limitation.

Sec. 2. Any fireman, either volunteer, part-paid or full-paid, who shall suffer disability as a result of safeguarding life or property outside his jurisdiction from damage due to explosion, fire or other disaster however caused, or in the transportation to or from a fire, explosion or other disaster however caused, outside his jurisdiction shall receive compensation equivalent to the amount provided for such injury and incapacity by the workmen's compensation laws of this state at the time of such injury.

History: 1942, 1st Ex. Sess., Act 9, Imd. Eff. Jan. 28, 1942;—CL 1948, 419.202;—Am. 1957, Act 122, Eff. Sept. 27, 1957.

419.203 Death benefits equivalent to amount provided under worker's disability compensation act; compensation of dependents.

Sec. 3. The surviving spouse and dependents of a fire fighter who is killed in safeguarding life or property outside his or her jurisdiction from damage due to an explosion, fire, or other disaster, however caused, or in transportation to or from a fire, explosion, or other disaster, however caused, outside his or her jurisdiction, shall receive the sum of $500.00 for defraying the expense of burial, and compensation equivalent to the amount provided at the time of death of the fire fighter under the worker's disability compensation act of 1969, Act No. 317 of the Public Acts of 1969, being sections 418.101 to 418.941 of the Michigan Compiled Laws. Compensation shall be payable to the spouse of the fire fighter, if living, and until remarriage; the children of the fire fighter, while dependent; the mother, father, or both, of the fire fighter, while dependent; and the brothers and sisters of the fire fighter, while dependent; in the order named. If the fire fighter does not leave a surviving spouse or any dependents as defined in this section, the estate of the fire fighter shall receive the sum of $500.00 for the expense of the fire fighter's burial.

History: 1942, 1st Ex. Sess., Act 9, Imd. Eff. Jan. 28, 1942;—CL 1948, 419.203;—Am. 1957, Act 122, Eff. Sept. 27, 1957;—Am. 1983, Act 207, Imd. Eff. Nov. 10, 1983.

419.204 Compensation payments from general fund; appropriation.

Sec. 4. Said sums hereinbefore provided for shall be paid from the general fund of the state treasury, from moneys not otherwise appropriated, on vouchers signed and approved by the department of labor and industry, and there is hereby appropriated from said general fund for the fiscal year ending June 30, 1942, and every fiscal year thereafter, a sufficient sum to carry out the provisions of this act.

History: 1942, 1st Ex. Sess., Act 9, Imd. Eff. Jan. 28, 1942;—CL 1948, 419.204.

419.205 Fire fighters and dependents to whom act applies; payment of difference under local

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benefit provisions; effect of contributions to benefit fund or protective association.

Sec. 5. This act applies to a fire fighter who suffers a disability and to the surviving spouse or dependents of a fire fighter who is killed as the result of safeguarding life and property outside the fire fighter's jurisdiction from damage due to explosion, fire, or other disaster, however caused, or in transportation to or from a fire, explosion, or other disaster, however caused, outside the fire fighter's jurisdiction, during the emergency defined in section 1. However, a fire fighter or an employee of a fire department, or the surviving spouse or dependents of the fire fighter or employee, in municipalities or villages of this state having charter provisions prescribing insurance or benefits shall receive from the state the benefits provided by this act. The village or municipality may, in accordance with its charter provisions, pay to the employee, the surviving spouse of the employee, or his or her dependents, the difference between the benefits provided by this act and the benefits provided for by the municipalities or villages, but shall pay no more than the difference. Any contributions made by the employee to any benefit fund or protective association independent of the charter of the municipality shall be taken into consideration in determining the compensation to be paid under this act.

History: 1942, 1st Ex. Sess., Act 9, Imd. Eff. Jan. 28, 1942;—CL 1948, 419.205;—Am. 1983, Act 207, Imd. Eff. Nov. 10, 1983.

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