

42.30 **ARTICLE 4**
42.31 **FIREFIGHTERS**

42.32 Section 1. Minnesota Statutes 2014, section 181.06, subdivision 2, is amended to read:

43.1 Subd. 2. **Payroll deductions.** A written contract may be entered into between
43.2 an employer and an employee wherein the employee authorizes the employer to make
43.3 payroll deductions for the purpose of paying union dues, premiums of any life insurance,
43.4 hospitalization and surgical insurance, group accident and health insurance, group term
43.5 life insurance, group annuities or contributions to credit unions or a community chest
43.6 fund, a local arts council, a local science council or a local arts and science council, or
43.7 Minnesota benefit association, a federally or state registered political action committee,
43.8 membership dues of a relief association governed by sections 424A.091 to 424A.096 or
43.9 Laws 2013, chapter 111, article 5, sections 31 to 42, or participation in any employee
43.10 stock purchase plan or savings plan for periods longer than 60 days, including gopher state
43.11 bonds established under section 16A.645.

43.12 **EFFECTIVE DATE.** This section is effective August 1, 2015.

43.13 Sec. 2. Minnesota Statutes 2014, section 181.101, is amended to read:

43.14 **181.101 WAGES; HOW OFTEN PAID.**

43.15 (a) Except as provided in paragraph (b), every employer must pay all wages earned
43.16 by an employee at least once every 31 days on a regular payday designated in advance by
43.17 the employer regardless of whether the employee requests payment at longer intervals.
43.18 Unless paid earlier, the wages earned during the first half of the first 31-day pay period
43.19 become due on the first regular payday following the first day of work. If wages earned
43.20 are not paid, the commissioner of labor and industry or the commissioner's representative
43.21 may demand payment on behalf of an employee. If payment is not made within ten days
43.22 of demand, the commissioner may charge and collect the wages earned and a penalty
43.23 in the amount of the employee's average daily earnings at the rate agreed upon in the
43.24 contract of employment, not exceeding 15 days in all, for each day beyond the ten-day
43.25 limit following the demand. Money collected by the commissioner must be paid to the
43.26 employee concerned. This section does not prevent an employee from prosecuting a
43.27 claim for wages. This section does not prevent a school district, other public school
43.28 entity, or other school, as defined under section 120A.22, from paying any wages earned
43.29 by its employees during a school year on regular paydays in the manner provided by an
43.30 applicable contract or collective bargaining agreement, or a personnel policy adopted by
43.31 the governing board. For purposes of this section, "employee" includes a person who
43.32 performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of
43.33 this section, wages are earned on the day an employee works.

44.1 (b) An employer of a volunteer firefighter, as defined in section 424A.001,
 44.2 subdivision 10, a member of an organized first responder squad that is formally recognized
 44.3 by a political subdivision in the state, or a volunteer ambulance driver or attendant must
 44.4 pay all wages earned by the volunteer firefighter, first responder, or volunteer ambulance
 44.5 driver or attendant at least once every 31 days, unless the employer and the employee
 44.6 mutually agree upon payment at longer intervals.

44.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

44.8 Sec. 3. Minnesota Statutes 2014, section 299F.012, subdivision 1, is amended to read:

44.9 Subdivision 1. **Authorized programs within department.** From the revenues
 44.10 appropriated from the fire safety account, established under section 297I.06, subdivision
 44.11 3, the commissioner of public safety may expend funds for the activities and programs
 44.12 identified by the advisory committee established under subdivision 2 and recommended to
 44.13 the commissioner of public safety. The commissioner shall not expend funds without the
 44.14 recommendation of the advisory committee established under subdivision 2. These funds
 44.15 are to be used to provide resources needed for identified activities and programs of the
 44.16 Minnesota fire service and to ensure the State Fire Marshal Division responsibilities are
 44.17 fulfilled. Any balance remaining in the account after the first year of the biennium must be
 44.18 appropriated to the commissioner of public safety for the purposes specified in law.

44.19 Sec. 4. Minnesota Statutes 2014, section 299N.02, subdivision 2, is amended to read:

44.20 Subd. 2. **Terms; chair; compensation.** Members of the board shall serve for terms
 44.21 of four years and annually elect a chair from among the members. Terms and filling of
 44.22 vacancies are subject to section 15.0575, subdivisions 2, 4, and 5. Members serve without
 44.23 compensation.

44.24 Sec. 5. Minnesota Statutes 2014, section 299N.03, subdivision 5, is amended to read:

S0406-2

23.12 Sec. 9. Minnesota Statutes 2014, section 299F.012, subdivision 1, is amended to read:

23.13 Subdivision 1. **Authorized programs within department.** From the revenues
 23.14 appropriated from the fire safety account, established under section 297I.06, subdivision
 23.15 3, the commissioner of public safety may expend funds for the activities and programs
 23.16 identified by the advisory committee established under subdivision 2 and recommended to
 23.17 the commissioner of public safety. The commissioner shall not expend funds without the
 23.18 recommendation of the advisory committee established under subdivision 2. These funds
 23.19 are to be used to provide resources needed for identified activities and programs of the
 23.20 Minnesota fire service and to ensure the State Fire Marshal Division responsibilities are
 23.21 fulfilled. Any balance remaining in the account after the first year of the biennium must be
 23.22 appropriated to the commissioner of public safety for the purposes specified in law.

S1597-2

1.8 Section 1. Minnesota Statutes 2014, section 299N.03, subdivision 3, is amended to read:

1.9 Subd. 3. **Chief firefighting officer.** "Chief firefighting officer" means the highest
 1.10 ranking employee or appointed official of a fire department, or the highest ranking
 1.11 employee or appointed official's designee for the purposes of this chapter.

1.12 Sec. 2. Minnesota Statutes 2014, section 299N.03, subdivision 5, is amended to read:

44.25 Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is
 44.26 employed and charged with the prevention and suppression of fires within the boundaries
 44.27 of the state on a full-time, salaried basis and who is directly engaged in the hazards of
 44.28 firefighting or is in charge of a designated fire company or companies that are directly
 44.29 engaged in the hazards of firefighting. Full-time firefighter does not include a volunteer,
 44.30 part-time, or ~~paid, on-call~~ paid-on-call firefighter.

44.31 Sec. 6. Minnesota Statutes 2014, section 299N.03, subdivision 6, is amended to read:

45.1 Subd. 6. **Licensed firefighter.** "Licensed firefighter" means a full-time firefighter,
 45.2 to include a fire department employee, member, supervisor, or appointed official, who is
 45.3 licensed by the board and ~~who is~~ charged with the prevention or suppression of fires within
 45.4 the boundaries of the state. Licensed firefighter may also include a volunteer firefighter.

45.5 Sec. 7. Minnesota Statutes 2014, section 299N.03, subdivision 7, is amended to read:

45.6 Subd. 7. **Volunteer firefighter.** A "volunteer firefighter" means a person who is
 45.7 charged with the prevention or suppression of fires within the boundaries of the state
 45.8 on a volunteer, part-time, or ~~paid, on-call~~ paid-on-call basis. Volunteer firefighter does
 45.9 not include a full-time firefighter.

45.10 Sec. 8. Minnesota Statutes 2014, section 299N.04, subdivision 3, is amended to read:

45.11 Subd. 3. **Certain baccalaureate or associate degree holders eligible to take**
 45.12 **certification examination.** A person with a baccalaureate degree; or with an associate
 45.13 degree in applied fire science technology; from an accredited college or university, who
 45.14 has successfully completed the skills-oriented basic training course under subdivision 2,
 45.15 clause (2), is eligible to take the firefighter certification examination notwithstanding the
 45.16 requirements of subdivision 2, clause (1).

45.17 Sec. 9. Minnesota Statutes 2014, section 299N.05, subdivision 1, is amended to read:

45.18 Subdivision 1. **Licensure requirement.** A ~~full-time~~ firefighter employed ~~on or after~~
 45.19 ~~July 1, 2011,~~ full time by a fire department is not eligible for permanent employment
 45.20 without being licensed as a firefighter by the board.

45.21 Sec. 10. Minnesota Statutes 2014, section 299N.05, subdivision 5, is amended to read:

1.13 Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is
 1.14 employed and charged with the prevention and suppression of fires within the boundaries
 1.15 of the state on a full-time, salaried basis and who is directly engaged in the hazards of
 1.16 firefighting or is in charge of a designated fire company or companies that are directly
 1.17 engaged in the hazards of firefighting. Full-time firefighter does not include a volunteer,
 1.18 part-time, or ~~paid, on-call~~ paid-on-call firefighter.

1.19 Sec. 3. Minnesota Statutes 2014, section 299N.03, subdivision 6, is amended to read:

1.20 Subd. 6. **Licensed firefighter.** "Licensed firefighter" means a full-time firefighter,
 1.21 to include a fire department employee, member, supervisor, or appointed official, who is
 1.22 licensed by the board and ~~who is~~ charged with the prevention or suppression of fires within
 1.23 the boundaries of the state. Licensed firefighter may also include a volunteer firefighter.

2.1 Sec. 4. Minnesota Statutes 2014, section 299N.03, subdivision 7, is amended to read:

2.2 Subd. 7. **Volunteer firefighter.** A "volunteer firefighter" means a person who is
 2.3 charged with the prevention or suppression of fires within the boundaries of the state
 2.4 on a volunteer, part-time, or ~~paid, on-call~~ paid-on-call basis. Volunteer firefighter does
 2.5 not include a full-time firefighter.

2.6 Sec. 5. Minnesota Statutes 2014, section 299N.04, subdivision 3, is amended to read:

2.7 Subd. 3. **Certain baccalaureate or associate degree holders eligible to take**
 2.8 **certification examination.** A person with a baccalaureate degree; or with an associate
 2.9 degree in applied fire science technology; from an accredited college or university, who
 2.10 has successfully completed the skills-oriented basic training course under subdivision 2,
 2.11 clause (2), is eligible to take the firefighter certification examination notwithstanding the
 2.12 requirements of subdivision 2, clause (1).

2.13 Sec. 6. Minnesota Statutes 2014, section 299N.05, subdivision 1, is amended to read:

2.14 Subdivision 1. **Licensure requirement.** A ~~full-time~~ firefighter employed ~~on or after~~
 2.15 ~~July 1, 2011,~~ full time by a fire department is not eligible for permanent employment
 2.16 without being licensed as a firefighter by the board.

2.17 Sec. 7. Minnesota Statutes 2014, section 299N.05, subdivision 4, is amended to read:

2.18 Subd. 4. **Newly employed firefighters.** Any full-time firefighter employed by a fire
 2.19 department ~~on or after July 1, 2011,~~ must obtain a license from the board. To obtain a
 2.20 license, an individual ~~not covered by subdivision 3~~ must provide the board with a statement
 2.21 signed by the chief firefighting officer of the fire department that employs the full-time
 2.22 firefighter that the individual has met the certification requirements of section 299N.04.

2.23 Sec. 8. Minnesota Statutes 2014, section 299N.05, subdivision 5, is amended to read:

45.22 Subd. 5. **Issuance of Obtaining a firefighter license.** The board shall license
 45.23 ~~any individual who meets the requirements of subdivision 3 or 4.~~ To obtain a license, a
 45.24 firefighter must complete the board application process and meet the requirements of section
 45.25 299N.04. A license is valid for ~~three years from the date of issuance~~ a three-year period
 45.26 determined by the board, and the fee for the license is \$75. Fees under this subdivision
 45.27 may be prorated by the board for licenses issued within a three-year licensure period.

45.28 Sec. 11. Minnesota Statutes 2014, section 299N.05, subdivision 6, is amended to read:

45.29 Subd. 6. **License renewal; expiration and reinstatement.** (a) A license shall be
 45.30 renewed so long as the firefighter and the chief firefighting officer provide evidence to the
 45.31 board that the licensed firefighter has had ~~at least~~ 72 hours of approved firefighting training
 46.1 in the previous three-year period preceding three years and the firefighter completes the
 46.2 renewal application. The fee for renewing a firefighter license is \$75, and the license is
 46.3 valid for an additional three years.

46.4 (b) If a license expires, a firefighter may apply to have it reinstated. In order to

46.5 receive reinstatement, the firefighter must:

46.6 (1) complete a reinstatement application;

46.7 (2) satisfy all prior firefighter training requirements;

46.8 (3) pay any outstanding renewal fees; and

46.9 (4) pay the delayed renewal fee set by the board.

46.10 (c) In lieu of a reinstatement application under paragraph (b), a firefighter may

46.11 complete a new application for licensure under section 299N.04.

46.12 Sec. 12. Minnesota Statutes 2014, section 299N.05, subdivision 7, is amended to read:

46.13 Subd. 7. **Duties of chief firefighting officer.** (a) ~~It shall be the duty of Every chief~~
 46.14 firefighting officer has a duty to ensure that all every full-time firefighters have firefighter
 46.15 has a license from issued by the board beginning July 1, 2011. Each full-time firefighter,
 46.16 volunteer firefighter, and chief firefighting officer may apply for licensure after January 1,
 46.17 2011.

46.18 (b) Every chief firefighting officer, provider, and individual licensee has a duty to

46.19 ensure proper training records and reports are retained. Records must include, for the

46.20 three-year period subsequent to the license renewal date:

46.21 (1) the dates, subjects, and duration of programs;

46.22 (2) sponsoring organizations;

46.23 (3) fire training hours earned;

46.24 (4) registration receipts to prove attendance at training sessions; and

2.24 Subd. 5. **Issuance of Obtaining a firefighter license.** The board shall license

2.25 ~~any individual who meets the requirements of subdivision 3 or 4.~~ To obtain a license, a

2.26 firefighter must complete the board application process and meet the requirements of section

2.27 299N.04. A license is valid for ~~three years from the date of issuance~~ a three-year period

2.28 determined by the board, and the fee for the license is \$75. Fees under this subdivision

2.29 may be prorated by the board for licenses issued with a three-year licensure period.

2.30 Sec. 9. Minnesota Statutes 2014, section 299N.05, subdivision 6, is amended to read:

3.1 Subd. 6. **License renewal; expiration and reinstatement.** (a) A license shall be

3.2 renewed so long as the firefighter and the chief firefighting officer provide evidence to the

3.3 board that the licensed firefighter has had ~~at least~~ 72 hours of approved firefighting training

3.4 in the previous three-year period preceding three years and the firefighter completes the

3.5 renewal application. The fee for renewing a firefighter license is \$75, and the license is

3.6 valid for an additional three years.

3.7 (b) If a license expires, a firefighter may apply to have it reinstated. In order to

3.8 receive reinstatement, the firefighter must:

3.9 (1) complete a reinstatement application;

3.10 (2) satisfy all prior firefighter training requirements;

3.11 (3) pay any outstanding renewal fees; and

3.12 (4) pay the delayed renewal fee set by the board.

3.13 (c) In lieu of a reinstatement application under paragraph (b), a firefighter may

3.14 complete a new application for licensure under section 299N.04.

3.15 Sec. 10. Minnesota Statutes 2014, section 299N.05, subdivision 7, is amended to read:

3.16 Subd. 7. **Duties of chief firefighting officer.** (a) ~~It shall be the duty of Every chief~~

3.17 firefighting officer has a duty to ensure that all every full-time firefighters have firefighter

3.18 has a license from issued by the board beginning July 1, 2011. Each full-time firefighter,

3.19 volunteer firefighter, and chief firefighting officer may apply for licensure after January 1,

3.20 2011.

3.21 (b) Every chief firefighting officer, provider, and individual licensee has a duty to

3.22 ensure proper training records and reports are retained. Records must include, for the

3.23 three-year period subsequent to the license renewal date:

3.24 (1) the dates, subjects, and duration of programs;

3.25 (2) sponsoring organizations;

3.26 (3) fire training hours earned;

3.27 (4) registration receipts to prove attendance at training sessions; and

46.25 (5) other pertinent information.

46.26 (c) The board may require a licensee, provider, or fire department to provide the
 46.27 information under paragraph (b) to demonstrate compliance with the 72-hour firefighting
 46.28 training requirement under subdivision 6, paragraph (a).

46.29 Sec. 13. Minnesota Statutes 2014, section 299N.05, subdivision 8, is amended to read:

46.30 Subd. 8. **Revocation; suspension; denial.** (a) The board may revoke, suspend,
 46.31 or deny a license issued or applied for under this section to a firefighter or applicant if
 46.32 the firefighter or applicant has been convicted of any arson-related charge or a felony
 46.33 recognized by the board as a crime that would disqualify the licensee from participating
 46.34 in the profession of firefighting.

47.1 (b) Each applicant, licensee, or fire department must notify the board, in writing,
 47.2 within ten days if the applicant or licensee has been convicted of or pled guilty or nolo
 47.3 contendere to a felony, any arson-related charge, or another offense arising from the
 47.4 same set of circumstances.

47.5 Sec. 14. **[299N.06] ELIGIBILITY FOR RECIPROCITY EXAMINATION**
 47.6 **BASED ON RELEVANT MILITARY EXPERIENCE.**

47.7 (a) For purposes of this section:

47.8 (1) "active service" has the meaning given in section 190.05, subdivision 5; and

47.9 (2) "relevant military experience" means:

47.10 (i) four years' cumulative service experience in a military firefighting occupational
 47.11 specialty;

47.12 (ii) two years' cumulative service experience in a military firefighting occupational
 47.13 specialty, and completion of at least a two-year degree from a regionally accredited
 47.14 postsecondary education institution; or

47.15 (iii) four years' cumulative experience as a full-time firefighter in another state
 47.16 combined with cumulative service experience in a military firefighting occupational
 47.17 specialty.

47.18 (b) A person is eligible to take the reciprocity examination and does not have to
 47.19 otherwise meet the requirements of section 299N.04, subdivisions 2 and 3, if the person has:

47.20 (1) relevant military experience; and

47.21 (2) been honorably discharged from military active service as evidenced by the most
 47.22 recent form DD-214 or is currently in active service, as evidenced by:

47.23 (i) active duty orders providing service time in a military firefighting specialty;

3.28 (5) other pertinent information.

3.29 (c) The board may require a licensee, provider, or fire department to provide the
 3.30 information under paragraph (b) to demonstrate compliance with the 72-hour firefighting
 3.31 training requirement under subdivision 6, paragraph (a).

3.32 Sec. 11. Minnesota Statutes 2014, section 299N.05, subdivision 8, is amended to read:

3.33 Subd. 8. **Revocation; suspension; denial.** (a) The board may revoke, suspend,
 3.34 or deny a license issued or applied for under this section to a firefighter or applicant if
 4.1 the firefighter or applicant has been convicted of any arson-related charge or a felony
 4.2 recognized by the board as a crime that would disqualify the licensee from participating
 4.3 in the profession of firefighting.

4.4 (b) Each applicant, licensee, or fire department must notify the board, in writing,
 4.5 within ten days if the applicant or licensee has been convicted of or pled guilty or nolo
 4.6 contendere to a felony, any arson-related charge, or another offense arising from the
 4.7 same set of circumstances.

4.8 Sec. 12. **[299N.06] ELIGIBILITY FOR RECIPROCITY EXAMINATION**
 4.9 **BASED ON RELEVANT MILITARY EXPERIENCE.**

4.10 (a) For purposes of this section:

4.11 (1) "active service" has the meaning given in section 190.05, subdivision 5; and

4.12 (2) "relevant military experience" means:

4.13 (i) four years' cumulative service experience in a military firefighting occupational
 4.14 specialty;

4.15 (ii) two years' cumulative service experience in a military firefighting occupational
 4.16 specialty, and completion of at least a two-year degree from a regionally accredited
 4.17 postsecondary education institution; or

4.18 (iii) four years' cumulative experience as a full-time firefighter in another state
 4.19 combined with cumulative service experience in a military firefighting occupational
 4.20 specialty.

4.21 (b) A person is eligible to take the reciprocity examination and does not have to
 4.22 otherwise meet the requirements of section 299N.04, subdivisions 2 and 3, if the person has:

4.23 (1) relevant military experience; and

4.24 (2) been honorably discharged from military active service as evidenced by the most
 4.25 recent form DD-214 or is currently in active service, as evidenced by:

4.26 (i) active duty orders providing service time in a military firefighting specialty;

47.24 (ii) a United States Department of Defense Manpower Data Center status report
47.25 pursuant to the Service Members Civil Relief Act, active duty status report; or
47.26 (iii) Military Personnel Center assignment information.
47.27 (c) A person who passed the examination under paragraph (b), clause (2), shall not
47.28 be eligible to be licensed as a firefighter until honorably discharged as evidenced by the
47.29 most recent form DD-214.
47.30 (d) To receive a firefighter license, a person who passed the reciprocity certification
47.31 examination must meet the requirements of section 299N.05, subdivision 4.
47.32 **Sec. 15. REPEALER.**
47.33 Minnesota Statutes 2014, section 299N.05, subdivision 3, is repealed.

4.27 (ii) a United States Department of Defense Manpower Data Center status report
4.28 pursuant to the Service Members Civil Relief Act, active duty status report; or
4.29 (iii) Military Personnel Center assignment information.
4.30 (c) A person who passed the examination under paragraph (b), clause (2), shall not
4.31 be eligible to be licensed as a firefighter until honorably discharged as evidenced by the
4.32 most recent form DD-214.
4.33 (d) To receive a firefighter license, a person who passed the reciprocity certification
4.34 examination must meet the requirements of section 299N.05, subdivision 4.
5.1 **Sec. 13. REPEALER.**
5.2 Minnesota Statutes 2014, section 299N.05, subdivision 3, is repealed.