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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **4149**

03/04/2020 Authored by Sundin, Lien and Lislegard
The bill was read for the first time and referred to the Committee on Government Operations

- 1.1 A bill for an act
- 1.2 relating to retirement; volunteer firefighter relief associations; vesting credit for
- 1.3 full-time firefighters; amending Minnesota Statutes 2018, section 424A.015, by
- 1.4 adding a subdivision.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2018, section 424A.015, is amended by adding a subdivision
- 1.7 to read:
- 1.8 Subd. 8. Vesting credit for full-time firefighters under a relief association. (a) If a
- 1.9 volunteer firefighter who is a member of a relief association discontinues providing services
- 1.10 as a volunteer firefighter for the fire department affiliated with the relief association and
- 1.11 becomes a full-time employee of the fire department who is covered by the public employees
- 1.12 police and fire retirement plan, the full-time employee shall continue to receive service
- 1.13 credit toward vesting in the employee's retirement benefit under the relief association, as
- 1.14 provided in this subdivision.
- 1.15 (b) For the purpose of this subdivision, a "retirement benefit" means the lump sum or
- 1.16 monthly pension benefit to which a member of a defined benefit relief association or defined
- 1.17 contribution relief association is entitled under the terms of the retirement plan administered
- 1.18 by the relief association.
- 1.19 (c) The fire chief of the fire department shall certify the service credit of the full-time
- 1.20 employee under section 424A.003 following the same procedure that would apply if the
- 1.21 full-time employee were a volunteer firefighter of the fire department.
- 1.22 (d) The relief association shall credit the full-time employee with a completed year of
- 1.23 active service toward vesting under section 424A.016, subdivision 3, or 424A.02, subdivision

2.1 2, as applicable, for each year the relief association receives the certification under paragraph
2.2 (c).

2.3 (e) The bylaws of a relief association must permit the crediting of service toward vesting
2.4 as required by this subdivision if a volunteer firefighter who is a member of the relief
2.5 association becomes a full-time employee of the affiliated fire department as described in
2.6 paragraph (a).

2.7 (f) The full-time employee shall receive service credit toward vesting in the employee's
2.8 retirement benefit under the relief association even though the year of service is the same
2.9 year for which the employee receives service credit under the public employees police and
2.10 fire retirement plan, notwithstanding section 424A.01, subdivision 4a, and the receipt of
2.11 service credit toward vesting in the employee's retirement benefit under the relief association
2.12 shall not cause the employee to be considered a volunteer firefighter under section 353.01,
2.13 subdivision 36.

2.14 (g) An employee of a fire department may receive credit toward vesting in the employee's
2.15 retirement benefit under a relief association only if the relief association is the relief
2.16 association affiliated with the fire department.

2.17 (h) The certification requirement under paragraph (c) shall cease when the employee
2.18 has become 100 percent vested in the employee's retirement benefit under the relief
2.19 association.

2.20 (i) The relief association shall credit service only for vesting purposes under this
2.21 subdivision and not for any other purpose.

2.22 **EFFECTIVE DATE.** This section is effective January 1, 2021, and applies retroactively
2.23 from March 1, 2020, for volunteer firefighters who were members of the Cloquet Area Fire
2.24 District Firefighter's Relief Association on or after March 1, 2020, and who transfer to
2.25 full-time employment with the Cloquet Area Fire District after March 1, 2020.