

ARTICLE 19

EMERGENCY RESPONSE AND FIRE SAFETY

Section 1. **[299F.0115] EXEMPTION FOR MEMBERS OF FEDERALLY
RECOGNIZED TRIBES.**

(a) The state fire marshal shall issue building-specific waivers for elements of the State Fire Code that conflict with a federally recognized Tribe's religious beliefs, traditional building practices, or established teachings. Both individual members of federally recognized Tribes, direct lineal descendents of federally recognized Tribes, and organizations of members of federally recognized Tribes may apply for these waivers.

(b) Waivers may only be granted for the following types of buildings:

(1) traditional residential buildings that will be used solely by an individual applicant's household or an organizational applicant's members;

(2) meeting houses; and

(3) one-room educational buildings.

(c) To obtain a waiver, an applicant must apply to the state fire marshal on a form established by the state fire marshal. The application must:

(1) identify the building the waiver will apply to;

(2) identify the Tribe the applicant is a member of; and

(3) declare that requirements of the State Fire Code conflict with religious beliefs, traditional building practices, or established teachings of the identified Tribe, which the applicant adheres to.

(d) Any building for which a waiver is granted may not be sold or leased until:

(1) the building is brought into compliance with the version of the State Fire Code in force at the time of the sale or lease; or

(2) the prospective buyer or lessee to which the building is being sold or leased to obtains a waiver under this section for the building.

Sec. 2. **[299F.3605] PETROLEUM REFINERIES.**

(a) As used in this section, "petroleum refinery" has the meaning given in section 115C.02, subdivision 10a.

(b) By January 1, 2022, each petroleum refinery operating in the state shall maintain or contract for a full-time paid on-site fire department regularly charged with the responsibility of providing fire protection to the refinery that is sufficiently trained, equipped, and staffed

345.16 to respond to fires at the refinery and to conduct inspections and employee training to prevent
345.17 fires.

345.18 Sec. 3. Minnesota Statutes 2020, section 299N.04, subdivision 1, is amended to read:

345.19 Subdivision 1. **Examination; requirements.** (a) The board must appoint an organization
345.20 ~~that is accredited by the International Fire Service Accreditation Congress~~ to prepare and
345.21 administer firefighter certification examinations. Firefighter certification examinations must
345.22 be designed to ensure and demonstrate competency that meets the applicable NFPA 4001
345.23 ~~standard or a national standard in areas including but not limited to:~~ standards.

345.24 ~~(1) fire prevention;~~

345.25 ~~(2) fire suppression; and~~

345.26 ~~(3) hazardous materials operations.~~

345.27 ~~(b) Certification must be obtained by the individual demonstrating competency in fire~~
345.28 ~~prevention and protection under the NFPA 1001 standard.~~

345.29 ~~(c)~~ (b) Nothing in this section shall be construed to prohibit any requirement imposed
345.30 by a local fire department for more comprehensive training.

346.1 Sec. 4. Minnesota Statutes 2020, section 299N.04, is amended by adding a subdivision to
346.2 read:

346.3 Subd. 1a. **Firefighter Certification Board; appointments; duties.** (a) By July 1, 2022,
346.4 the commissioner shall appoint a Firefighter Certification Board consisting of 18 members
346.5 as recommended by the following organizations:

346.6 (1) one member recommended by the Minnesota State Fire Chiefs Association;

346.7 (2) one member recommended by the Minnesota State Fire Department Association;

346.8 (3) one member recommended by the Minnesota Chapter of the International Association
346.9 of Arson Investigators;

346.10 (4) one member recommended by the Fire Marshals Association of Minnesota;

346.11 (5) one member recommended by the State Fire Marshal Division;

346.12 (6) one member recommended by the Minnesota State Fire Training Program
346.13 Coordinator's Group;

346.14 (7) two members recommended by Minnesota Professional Fire Fighters;

346.15 (8) one member recommended by a private fire training organization;

346.16 (9) one member recommended by regional fire training academies;

- 346.17 (10) five members recommended by the regional director of Greater Minnesota Fire
346.18 Service;
- 346.19 (11) one member recommended by the League of Minnesota Cities;
- 346.20 (12) one member recommended by the Minnesota Association of Townships; and
- 346.21 (13) one public member not affiliated or associated with any member or interest,
346.22 appointed by the commissioner.
- 346.23 (b) Each member shall serve an initial term of two years. The commissioner shall appoint
346.24 at least eight members from outside the metropolitan area.
- 346.25 (c) Appointed members serve without compensation.
- 346.26 (d) By January 1, 2023, the board must be accredited by the International Fire Service
346.27 Accreditation Congress and begin to carry out the following duties:
- 346.28 (1) establish qualifications for, appoint, and train examiners to conduct both the written
346.29 and skills tests required for firefighter certification;
- 346.30 (2) maintain a list of examiners that have met the qualifications;
- 347.1 (3) develop and maintain a program to determine and certify the competency of and
347.2 issue certificates to individuals who pass examinations based on the NFPA fire service
347.3 professional qualifications and other standards approved by the certification assembly;
- 347.4 (4) make recommendations to the legislature to improve the quality of firefighter training;
- 347.5 (5) conduct studies and surveys and make reports to the commissioner; and
- 347.6 (6) conduct other activities as necessary to carry out these duties.
- 347.7 (e) The commissioner shall provide the necessary staff and support to the board and may
347.8 charge back any costs related to the board to the special account created in subdivision 4.
- 347.9 Sec. 5. Minnesota Statutes 2020, section 299N.04, subdivision 2, is amended to read:
- 347.10 Subd. 2. **Eligibility for certification examination.** Except as provided in subdivision
347.11 3, any person may take the firefighter certification examination who has successfully
347.12 completed the following:
- 347.13 (1)(i) a firefighter course from a postsecondary educational institution, an accredited
347.14 institution of higher learning, or another entity that teaches a course that has been approved
347.15 by the board; or (ii) an apprenticeship or cadet program maintained by a Minnesota fire
347.16 department that has been approved by the ~~board~~ Board of Firefighter Training and Education;
347.17 and
- 347.18 (2) a skills-oriented basic training course.

347.19 Sec. 6. Minnesota Statutes 2020, section 299N.04, is amended by adding a subdivision to
347.20 read:

347.21 Subd. 4. **Revenues.** (a) The board and its programs shall be funded through fees collected
347.22 from individuals who apply for certification and for certification renewal.

347.23 (b) A firefighter certification account is created in the special revenue fund. The account
347.24 consists of the fees collected under this section and any other money donated, allotted,
347.25 transferred, or otherwise provided to the account. Money in the account is annually
347.26 appropriated to the commissioner to pay costs incurred under this section.

347.27 (c) The board may accept funding from the fire safety account established in section
347.28 297L.06 for special or distinctive projects.

347.29 (d) The board shall recommend a certification fee schedule to the commissioner. The
347.30 commissioner shall set the fee on an annual basis to coincide with the state's fiscal year.

348.1 Sec. 7. Minnesota Statutes 2020, section 299N.04, is amended by adding a subdivision to
348.2 read:

348.3 Subd. 5. **Definitions.** (a) Unless otherwise indicated, for purposes of this section, the
348.4 terms in this subdivision have the meanings given them.

348.5 (b) "Board" means the Firefighter Certification Board established under subdivision 1a.

348.6 (c) "Commissioner" means the commissioner of public safety.

348.7 Sec. 8. **[326B.125] EXEMPTION FOR MEMBERS OF FEDERALLY RECOGNIZED**
348.8 **TRIBES.**

348.9 (a) The commissioner of labor and industry shall issue building-specific waivers for
348.10 elements of the State Building Code that conflict with a federally recognized Tribe's religious
348.11 beliefs, traditional building practices, or established teachings. Both individual members
348.12 of federally recognized Tribes, direct lineal descendants of federally recognized Tribes, and
348.13 organizations of members of federally recognized Tribes may apply for these waivers.

348.14 (b) Waivers may only be granted for the following types of buildings:

348.15 (1) traditional residential buildings that will be used solely by an individual applicant's
348.16 household or an organizational applicant's members;

348.17 (2) meeting houses; and

348.18 (3) one-room educational buildings.

348.19 (c) To obtain a waiver, an applicant must apply to the commissioner on a form established
348.20 by the commissioner. The application must:

348.21 (1) identify the building the waiver will apply to;

348.22 (2) identify the Tribe the applicant is a member of; and
348.23 (3) declare that requirements of the State Building Code conflict with religious beliefs,
348.24 traditional building practices, or established teachings of the identified Tribe, which the
348.25 applicant adheres to.
348.26 (d) Any building for which a waiver is granted may not be sold or leased until:
348.27 (1) the building is brought into compliance with the version of the State Building Code
348.28 in force at the time of the sale or lease; or
348.29 (2) the prospective buyer or lessee to which the building is being sold or leased to obtains
348.30 a waiver under this section for the building.
349.1 Sec. 9. Minnesota Statutes 2020, section 403.02, subdivision 16, is amended to read:
349.2 Subd. 16. **Metropolitan area.** "Metropolitan area" means the counties of Anoka, Carver,
349.3 Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, and Washington.
349.4 Sec. 10. Minnesota Statutes 2020, section 403.03, subdivision 1, is amended to read:
349.5 Subdivision 1. **Emergency response services.** Services available through a 911 system
349.6 must include police, firefighting, and emergency medical and ambulance services. Other
349.7 emergency and civil defense services may be incorporated into the 911 system at the
349.8 discretion of the public agency operating the public safety answering point. The 911 system
349.9 ~~may~~ shall include a referral to mental health crisis teams, ~~where available~~ when appropriate.
349.10 Sec. 11. Minnesota Statutes 2020, section 403.07, subdivision 2, is amended to read:
349.11 Subd. 2. **Design standards for metropolitan area.** The Metropolitan ~~911~~ Emergency
349.12 Services Board shall establish and adopt design standards for the metropolitan area 911
349.13 system and transmit them to the commissioner for incorporation into the rules adopted
349.14 pursuant to this section.
349.15 Sec. 12. Minnesota Statutes 2020, section 403.11, subdivision 1, is amended to read:
349.16 Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer
349.17 of a wireless or wire-line switched or packet-based telecommunications service provider
349.18 connected to the public switched telephone network that furnishes service capable of
349.19 originating a 911 emergency telephone call is assessed a fee based upon the number of
349.20 wired or wireless telephone lines, or their equivalent, to cover the costs of ongoing
349.21 maintenance and related improvements for trunking and central office switching equipment
349.22 for 911 emergency telecommunications service, to offset administrative and staffing costs
349.23 of the commissioner related to managing the 911 emergency telecommunications service
349.24 program, to make distributions provided for in section 403.113, ~~and~~ to offset the costs,
349.25 including administrative and staffing costs, incurred by the State Patrol Division of the
349.26 Department of Public Safety in handling 911 emergency calls made from wireless phones;
349.27 and to offset costs to state and local governments for ongoing increases in expenditures

349.28 related to the updating and maintenance of systems to comply with Next-Generation-IP-based
349.29 911 telecommunications systems.

349.30 (b) Money remaining in the 911 emergency telecommunications service account after
349.31 all other obligations are paid and defined reserves met must not cancel and is carried forward
349.32 to subsequent years and ~~may~~ shall be appropriated ~~from time to time~~ to the commissioner
350.1 to provide financial assistance to counties for the improvement of local emergency
350.2 telecommunications services in compliance with the uses designated in section 403.113,
350.3 subdivision 3.

350.4 (c) The fee may not be less than eight cents nor more than 65 cents a month until June
350.5 30, 2008, not less than eight cents nor more than 75 cents a month until June 30, 2009, not
350.6 less than eight cents nor more than 85 cents a month until June 30, 2010, and not less than
350.7 eight cents nor more than 95 cents a month on or after July 1, 2010, for each customer access
350.8 line or other basic access service, including trunk equivalents as designated by the Public
350.9 Utilities Commission for access charge purposes and including wireless telecommunications
350.10 services. With the approval of the commissioner of management and budget, the
350.11 commissioner of public safety shall establish the amount of the fee within the limits specified
350.12 and inform the companies and carriers of the amount to be collected. ~~When the revenue~~
350.13 ~~bonds authorized under section 403.27, subdivision 1, have been fully paid or defeased, the~~
350.14 ~~commissioner shall reduce the fee to reflect that debt service on the bonds is no longer~~
350.15 ~~needed.~~ The commissioner shall provide companies and carriers a minimum of 45 days'
350.16 notice of each fee change. The fee must be the same for all customers, except that the fee
350.17 imposed under this subdivision does not apply to prepaid wireless telecommunications
350.18 service, which is instead subject to the fee imposed under section 403.161, subdivision 1,
350.19 paragraph (a).

350.20 (d) The fee must be collected by each wireless or wire-line telecommunications service
350.21 provider subject to the fee. Fees are payable to and must be submitted to the commissioner
350.22 monthly before the 25th of each month following the month of collection, except that fees
350.23 may be submitted quarterly if less than \$250 a month is due, or annually if less than \$25 a
350.24 month is due. Receipts must be deposited in the state treasury and credited to a 911
350.25 emergency telecommunications service account in the special revenue fund. The money in
350.26 the account may only be used for 911 telecommunications services.

350.27 (e) Competitive local exchanges carriers holding certificates of authority from the Public
350.28 Utilities Commission are eligible to receive payment for recurring 911 services.

350.29 Sec. 13. Minnesota Statutes 2020, section 403.21, subdivision 3, is amended to read:

350.30 Subd. 3. **First phase.** "First phase" or "first phase of the regionwide public safety radio
350.31 communication system" means the initial backbone which serves the following ~~nine-county~~
350.32 ~~ten-county~~ metropolitan area: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey,
350.33 Scott, Sherburne, and Washington Counties.

351.1 Sec. 14. Minnesota Statutes 2020, section 403.21, subdivision 12, is amended to read:

351.2 Subd. 12. **Greater Minnesota.** "Greater Minnesota" means the area of the state outside

351.3 the ~~nine-county~~ ten-county metropolitan area served by the first phase.

351.4 Sec. 15. Minnesota Statutes 2020, section 403.36, subdivision 1, is amended to read:

351.5 Subdivision 1. **Membership.** (a) The commissioner of public safety shall convene and

351.6 chair the Statewide Radio Board to develop a project plan for a statewide, shared, trunked

351.7 public safety radio communication system. The system may be referred to as "Allied Radio

351.8 Matrix for Emergency Response," or "ARMER."

351.9 (b) The board consists of the following members or their designees:

351.10 (1) the commissioner of public safety;

351.11 (2) the commissioner of transportation;

351.12 (3) the state chief information officer;

351.13 (4) the commissioner of natural resources;

351.14 (5) the chief of the Minnesota State Patrol;

351.15 (6) the chair of the Metropolitan Council;

351.16 (7) two elected city officials, one from the ~~nine-county~~ ten-county metropolitan area

351.17 and one from Greater Minnesota, appointed by the governing body of the League of

351.18 Minnesota Cities;

351.19 (8) two elected county officials, one from the ~~nine-county~~ ten-county metropolitan area

351.20 and one from Greater Minnesota, appointed by the governing body of the Association of

351.21 Minnesota Counties;

351.22 (9) two sheriffs, one from the ~~nine-county~~ ten-county metropolitan area and one from

351.23 Greater Minnesota, appointed by the governing body of the Minnesota Sheriffs' Association;

351.24 (10) two chiefs of police, one from the ~~nine-county~~ ten-county metropolitan area and

351.25 one from Greater Minnesota, appointed by the governor after considering recommendations

351.26 made by the Minnesota Chiefs' of Police Association;

351.27 (11) two fire chiefs, one from the ~~nine-county~~ ten-county metropolitan area and one

351.28 from Greater Minnesota, appointed by the governor after considering recommendations

351.29 made by the Minnesota Fire Chiefs' Association;

352.1 (12) two representatives of emergency medical service providers, one from the

352.2 ~~nine-county~~ ten-county metropolitan area and one from Greater Minnesota, appointed by

352.3 the governor after considering recommendations made by the Minnesota Ambulance

352.4 Association;

352.5 (13) the chair of the ~~regional radio board for the metropolitan area~~ Metropolitan
352.6 Emergency Services Board; and

352.7 (14) a representative of Greater Minnesota elected by those units of government in phase
352.8 three and any subsequent phase of development as defined in the statewide, shared radio
352.9 and communication plan, who have submitted a plan to the Statewide Radio Board and
352.10 where development has been initiated.

352.11 (c) The Statewide Radio Board shall coordinate the appointment of board members
352.12 representing Greater Minnesota with the appointing authorities and may designate the
352.13 geographic region or regions from which an appointed board member is selected where
352.14 necessary to provide representation from throughout the state.

352.15 Sec. 16. **911 TELECOMMUNICATOR WORKING GROUP.**

352.16 Subdivision 1. **Membership.** (a) The commissioner of public safety shall convene a 911
352.17 telecommunicator working group that consists of the commissioner, or a designee, and one
352.18 representative of each of the following organizations:

352.19 (1) the Minnesota Chiefs of Police Association;
352.20 (2) the Minnesota Sheriffs' Association;
352.21 (3) the Minnesota Police and Peace Officers Association;
352.22 (4) the Emergency Communications Network;
352.23 (5) the Minnesota State Fire Chiefs Association;
352.24 (6) the Association of Minnesota Counties;
352.25 (7) the League of Minnesota Cities;
352.26 (8) Tribal dispatchers;
352.27 (9) the Metropolitan Emergency Services Board;
352.28 (10) the Emergency Medical Services Regulatory Board;
352.29 (11) the Statewide Emergency Communications Board;
352.30 (12) each of the Statewide Emergency Communications Board's seven regional boards;
353.1 (13) mental health crisis team providers;
353.2 (14) the Minnesota Association of Public Safety Communications Officials (MN APCO)
353.3 and the National Emergency Number Association of Minnesota (NENA of MN); and
353.4 (15) the Minnesota Ambulance Association.

26.13 Sec. 15. **911 TELECOMMUNICATOR WORKING GROUP.**

26.14 Subdivision 1. **Membership.** (a) The commissioner of public safety shall convene a 911
26.15 telecommunicator working group that consists of the commissioner or a designee and one
26.16 representative of each of the following organizations:

26.17 (1) the Minnesota Chiefs of Police Association;
26.18 (2) the Minnesota Sheriffs' Association;
26.19 (3) the Minnesota Police and Peace Officers Association;
26.20 (4) the Emergency Communications Network;
26.21 (5) the Minnesota State Fire Chiefs Association;
26.22 (6) the Association of Minnesota Counties;
26.23 (7) the League of Minnesota Cities;
26.24 (8) Tribal dispatchers;
26.25 (9) the Metropolitan Emergency Services Board;
26.26 (10) the Emergency Medical Services Regulatory Board;
26.27 (11) the Statewide Emergency Communications Board;
26.28 (12) each of the Statewide Emergency Communications Board's seven regional boards;
26.29 (13) mental health crisis team providers; and
27.1 (14) the Minnesota Association of Public Safety Communications Officials (MN APCO)
27.2 and the National Emergency Number Association of Minnesota (NENA of MN).

27.3 (b) The organizations specified in paragraph (a) shall provide the commissioner with a
27.4 designated member to serve on the working group by June 15, 2021. The commissioner

353.5 (b) The working group must also include a nonsupervisory telecommunicator working
353.6 in a regional center outside of the seven-county metropolitan area, a nonsupervisory
353.7 telecommunicator working in rural Minnesota, and a nonsupervisory telecommunicator
353.8 working in the seven-county metropolitan area.

353.9 (c) The organizations specified in paragraph (a) shall provide the commissioner with a
353.10 designated member to serve on the working group by June 15, 2021. The commissioner
353.11 shall appoint these members to the working group. Appointments to the working group
353.12 must be made by July 1, 2021.

353.13 Subd. 2. **Duties; report.** The working group must submit a report to the chairs and
353.14 ranking minority members of the legislative committees with jurisdiction over public safety
353.15 policy and finance by January 15, 2022. The report must:

353.16 (1) recommend a statutory definition of 911 telecommunicators;

353.17 (2) recommend minimum training and continuing education standards for certification
353.18 of 911 telecommunicators;

353.19 (3) recommend standards for certification of 911 telecommunicators;

353.20 (4) recommend funding options for mandated 911 telecommunicators training;

353.21 (5) recommend best practices in incident response command structure for the state's first
353.22 responders to implement that do not violate either the United States or Minnesota
353.23 Constitutions, after reviewing the various incident response command structures used in
353.24 the field across the nation and world; and

353.25 (6) provide other recommendations the working group deems appropriate.

353.26 Subd. 3. **First meeting; chair.** The commissioner of public safety must convene the
353.27 first meeting of the working group by August 1, 2021. At the first meeting, the members
353.28 must elect a chair. The working group may conduct meetings remotely. The chair shall be
353.29 responsible for document management of materials for the working group.

353.30 Subd. 4. **Compensation; reimbursement.** Members serve without compensation.

354.1 Subd. 5. **Administrative support.** The commissioner of public safety must provide
354.2 administrative support to the working group.

354.3 Subd. 6. **Expiration.** The working group expires January 15, 2022.

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

27.5 shall appoint these members to the working group. Appointments to the working group
27.6 must be made by July 1, 2021.

27.7 Subd. 2. **Duties; report.** The working group must submit a report to the chairs and
27.8 ranking minority members of the legislative committees with jurisdiction over public safety
27.9 policy and finance by January 15, 2022. The report must:

27.10 (1) recommend a statutory definition of 911 telecommunicators;

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27.12 of 911 telecommunicators;

27.13 (3) recommend standards for certification of 911 telecommunicators;

27.14 (4) recommend funding options for mandated 911 telecommunicators training; and

27.15 (5) provide other recommendations the working group deems appropriate.

27.16 Subd. 3. **First meeting; chair.** The commissioner of public safety must convene the
27.17 first meeting of the working group by August 1, 2021. At the first meeting, the members
27.18 must elect a chair. The working group may conduct meetings remotely. The chair shall be
27.19 responsible for document management of materials for the working group.

27.20 Subd. 4. **Compensation; reimbursement.** Members serve without compensation.

27.21 Subd. 5. **Administrative support.** The commissioner of public safety must provide
27.22 administrative support to the working group.

27.23 Subd. 6. **Expiration.** The working group expires January 15, 2022.

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

354.5

Sec. 17. TITLE.

354.6

Section 10 shall be known as "Travis's Law."