

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 1593

(SENATE AUTHORS: RARICK)

DATE
02/21/2019

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486 Introduction and first reading
Referred to Taxes

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to local government; establishing a fire protection district for the cities of
1.3 Cromwell and Wright; amending Minnesota Statutes 2018, section 275.066.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 275.066, is amended to read:

1.6 **275.066 SPECIAL TAXING DISTRICTS; DEFINITION.**

1.7 For the purposes of property taxation and property tax state aids, the term "special taxing
1.8 districts" includes the following entities:

- 1.9 (1) watershed districts under chapter 103D;
- 1.10 (2) sanitary districts under sections 442A.01 to 442A.29;
- 1.11 (3) regional sanitary sewer districts under sections 115.61 to 115.67;
- 1.12 (4) regional public library districts under section 134.201;
- 1.13 (5) park districts under chapter 398;
- 1.14 (6) regional railroad authorities under chapter 398A;
- 1.15 (7) hospital districts under sections 447.31 to 447.38;
- 1.16 (8) St. Cloud Metropolitan Transit Commission under sections 458A.01 to 458A.15;
- 1.17 (9) Duluth Transit Authority under sections 458A.21 to 458A.37;
- 1.18 (10) regional development commissions under sections 462.381 to 462.398;
- 1.19 (11) housing and redevelopment authorities under sections 469.001 to 469.047;

- 2.1 (12) port authorities under sections 469.048 to 469.068;
- 2.2 (13) economic development authorities under sections 469.090 to 469.1081;
- 2.3 (14) Metropolitan Council under sections 473.123 to 473.549;
- 2.4 (15) Metropolitan Airports Commission under sections 473.601 to 473.679;
- 2.5 (16) Metropolitan Mosquito Control Commission under sections 473.701 to 473.716;
- 2.6 (17) Morrison County Rural Development Financing Authority under Laws 1982, chapter
2.7 437, section 1;
- 2.8 (18) Croft Historical Park District under Laws 1984, chapter 502, article 13, section 6;
- 2.9 (19) East Lake County Medical Clinic District under Laws 1989, chapter 211, sections
2.10 1 to 6;
- 2.11 (20) Floodwood Area Ambulance District under Laws 1993, chapter 375, article 5,
2.12 section 39;
- 2.13 (21) Middle Mississippi River Watershed Management Organization under sections
2.14 103B.211 and 103B.241;
- 2.15 (22) emergency medical services special taxing districts under section 144F.01;
- 2.16 (23) a county levying under the authority of section 103B.241, 103B.245, or 103B.251;
- 2.17 (24) Southern St. Louis County Special Taxing District; Chris Jensen Nursing Home
2.18 under Laws 2003, First Special Session chapter 21, article 4, section 12;
- 2.19 (25) an airport authority created under section 360.0426; ~~and~~
- 2.20 (26) the Cromwell Wright fire protection district established under section 2; and
- 2.21 ~~(26)~~ (27) any other political subdivision of the state of Minnesota, excluding counties,
2.22 school districts, cities, and towns, that has the power to adopt and certify a property tax levy
2.23 to the county auditor, as determined by the commissioner of revenue.

2.24 Sec. 2. **CROMWELL WRIGHT FIRE PROTECTION DISTRICT.**

2.25 Subdivision 1. **Agreement.** The cities of Cromwell and Wright may by action of their
2.26 city councils establish the Cromwell Wright fire protection district. The district shall provide
2.27 fire protection services throughout its territory and may exercise all the powers of the cities
2.28 that relate to fire protection anywhere within its territory. Any other contiguous town or
2.29 home rule charter or statutory city may join the district with the agreement of the cities and

3.1 towns that comprise the district at the time of its application to join. Action to join the district
3.2 may be taken by the city council or town board of the city or town.

3.3 Subd. 2. **Board.** The district shall be governed by a board composed of one member
3.4 appointed by the city council or town board of each city and town in the district. A district
3.5 board member may but is not required to be a member of a city council or town board.
3.6 Except as provided in this section, members shall serve two-year terms ending the first
3.7 Monday in January and until their successors are appointed and qualified. Of the members
3.8 first appointed, as far as possible, the terms of one-half shall expire on the first Monday in
3.9 January in the first year following their appointment and one-half the first Monday in January
3.10 in the second year. The terms of those initially appointed shall be determined by lot. If an
3.11 additional member is added because an additional city or town joins the district, the member's
3.12 term shall be fixed so that, as far as possible, the terms of one-half of all the members expire
3.13 on the same date.

3.14 Subd. 3. **Executive director.** The board may appoint an executive director. The executive
3.15 director shall be selected upon the basis of the applicant's training, experience, and other
3.16 qualifications and shall serve at the pleasure of the board and at a compensation to be
3.17 determined by the board. The executive director need not be a resident of the district. The
3.18 executive director may also be selected by the board to serve as either secretary or treasurer,
3.19 or both, of the board. The executive director shall attend all meetings of the board, but shall
3.20 not vote, and shall have the following powers and duties:

3.21 (1) ensure that all resolutions, rules, regulations, or orders of the board are enforced;

3.22 (2) appoint and remove, upon the basis of merit and fitness, all subordinate officers and
3.23 regular employees of the board except the secretary and the treasurer and their deputies;

3.24 (3) present to the board plans, studies, and other reports prepared for board purposes
3.25 and recommend to the board adoption of measures the director deems necessary to enforce
3.26 or carry out the powers and duties of the board or the efficient administration of the affairs
3.27 of the board;

3.28 (4) keep the board fully advised as to its financial condition and prepare and submit to
3.29 the board, and to the governing bodies of the local government units, the board's annual
3.30 budget and other financial information as the board may request;

3.31 (5) recommend to the board for adoption rules and regulations deemed necessary for
3.32 the efficient operation of the district disposal system; and

3.33 (6) perform other duties as may be prescribed by the board.

4.1 Subd. 4. **Tax.** The district may impose a property tax on real property in the district in
4.2 an amount sufficient to discharge its operating expenses and debt payable in each year. The
4.3 tax shall be disregarded in the calculation of any levies or limits on levies provided by
4.4 Minnesota Statutes, chapter 275, or other law. A city or town that joins the district may not
4.5 incur expenses or debt for fire protection services for territory included in the district and
4.6 may not impose taxes for that purpose.

4.7 Subd. 5. **Public indebtedness.** The district may incur debt in the manner provided for
4.8 a municipality by Minnesota Statutes, chapter 475, when necessary to accomplish a duty
4.9 charged to it.

4.10 Subd. 6. **Withdrawal.** Upon two years notice, a city or town may withdraw from the
4.11 district. Its territory shall remain subject to taxation for debt incurred prior to its withdrawal
4.12 pursuant to Minnesota Statutes, chapter 475.

4.13 Sec. 3. **EFFECTIVE DATE.**

4.14 Pursuant to Minnesota Statutes, section 645.023, subdivision 1, clause (a), section 2
4.15 takes effect without local approval the day following final enactment.