

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 2148

(SENATE AUTHORS: FISCHBACH)

DATE	D-PG	OFFICIAL STATUS
03/01/2012	4070	Introduction and first reading Referred to Judiciary and Public Safety
03/12/2012		Comm report: To pass as amended Second reading

A bill for an act
relating to public safety; imposing a temporary moratorium on the establishment
of new fire departments; requiring a report from the state fire marshal; proposing
coding for new law in Minnesota Statutes, chapter 299F.

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

Section 1. [299F.999] TEMPORARY MORATORIUM ON NEW FIRE
DEPARTMENTS; REPORT REQUIRED; SUNSET.

(a) As used in this section, "fire department" has the meaning given in section
299F.092.

(b) Unless approved by voters in an election described in paragraph (d), a local unit
of government may not: (1) establish a new fire department; (2) close an existing fire
department; or (3) withdraw from an agreement to receive fire protection services from
the fire department of another unit of government. The restrictions described in clauses
(2) and (3) do not apply if the local unit of government enters into an agreement with a
fire department that has been in existence for at least five years to provide an equivalent
degree of fire protection services as the governmental unit is currently receiving.

(c) By January 15, 2013, the state fire marshal shall report to the chairs and
ranking minority members of the senate and house of representatives committees having
jurisdiction over the state fire marshal on minimum standards with which fire departments
should be required to comply. At a minimum, the standards must address staffing levels,
equipment needs, estimated response times, and the experience levels of departmental
personnel.

(d) To authorize an action otherwise prohibited by paragraph (b), the question must
be approved by a majority of voters voting on the question at a general election or special

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2.1 election called for that purpose. All eligible voters affected by the action at issue shall be
2.2 allowed to vote on the question.

2.3 **EFFECTIVE DATE; SUNSET.** This section is effective the day following final
2.4 enactment and expires June 1, 2013.