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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2585

02/29/2012 Authored by Kriesel

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

03/14/2012 Adoption of Report: Pass and re-referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to public safety; expanding and updating the authority of the Statewide
1.3 Radio Board to include the latest emergency communication technologies;
1.4 authorizing the Statewide Radio Board to elect to become a statewide emergency
1.5 communication board; including tribal governments in regional radio board
1.6 structure; providing comprehensive authority under board to address all
1.7 emergency communications; providing for rulemaking; amending Minnesota
1.8 Statutes 2010, sections 403.02; 403.025; 403.03; 403.05; 403.06; 403.07; 403.08;
1.9 403.09, subdivision 2; 403.10; 403.11; 403.113; 403.15; 403.21, subdivisions
1.10 2, 13, by adding a subdivision; 403.37, subdivision 1; 403.38; 403.39; 403.40,
1.11 subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 403;
1.12 repealing Minnesota Statutes 2010, sections 403.21, subdivision 6; 403.33.

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

1.14 Section 1. Minnesota Statutes 2010, section 403.02, is amended to read:

1.15 403.02 DEFINITIONS.

1.16 Subdivision 1. Scope. For the purposes of this chapter, the terms defined in this
1.17 section have the meanings given them.

1.18 Subd. 7. Automatic location identification or ALI. "Automatic location
1.19 identification" or "ALI" means the automated process of electronically identifying and
1.20 displaying the name of the subscriber and the location, where available, of the subscriber's
1.21 identifying information, information related to the caller's location, and the calling
1.22 telephone number or equivalent to a person answering a 911 request for emergency call
1.23 assistance (RFEA).

1.24 Subd. 9a. Callback number. "Callback number" means a number used by the
1.25 public safety answering point (PSAP) to recontact the location from which the 911 call or
1.26 RFEA was placed.

2.1 Subd. 9b. **RFEA.** "RFEA" means request for emergency assistance, a generic term  
 2.2 used to include any type of request for emergency assistance established by signaling with  
 2.3 two-way real-time media, and involves a human making a request for help. The term is  
 2.4 used interchangeably with "911 call," and can also be used to refer to either "voice call,"  
 2.5 "video call," "text call," or "data only call" since they are handled the same way through  
 2.6 most of the Next Generation 911 (NG911).

2.7 Subd. 9c. **Caller.** "Caller" means the person or entity placing an RFEA.

2.8 Subd. 10. **Commissioner.** "Commissioner" means the commissioner of public  
 2.9 safety.

2.10 Subd. 11a. **Emergency location identification number.** "Emergency location  
 2.11 identification number" means a valid North American numbering plan format telephone  
 2.12 number, assigned to the multiline telephone system operator by the appropriate authority,  
 2.13 that is used to route the ~~call~~ RFEA to a ~~public safety answering point~~ PSAP and is used to  
 2.14 retrieve the automatic location identification for the public safety answering point.

2.15 Subd. 11b. **Emergency response location.** "Emergency response location" means  
 2.16 a location to which a 911 emergency response team may be dispatched. The location  
 2.17 must be specific enough to provide a reasonable opportunity for the emergency response  
 2.18 team to locate a caller anywhere within it.

2.19 Subd. 13. **Enhanced 911 service or E911.** "Enhanced 911 service" or "E911"  
 2.20 means the use of automatic location identification ~~or local location identification~~ as part of  
 2.21 local 911 service provided by an enhanced 911 ~~system~~ service consisting of a common  
 2.22 911 network and database and customer data and network components connecting to  
 2.23 the common 911 network and database.

2.24 ~~Subd. 14. **Governmental agency.** "Governmental agency" means any unit of local~~  
 2.25 ~~government or special purpose district located in whole or in part within this state that~~  
 2.26 ~~provides or has authority to provide firefighting, police, ambulance, medical, or other~~  
 2.27 ~~emergency services.~~

2.28 ~~Subd. 15. **Local location identification.** "Local location identification" means the~~  
 2.29 ~~process of locating the origin of calls to a 911 system by means of a periodically updated~~  
 2.30 ~~database located and maintained at the public safety answering point.~~

2.31 Subd. 16. **Metropolitan area.** "Metropolitan area" means the counties of Anoka,  
 2.32 Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, and Washington and the city of  
 2.33 Minneapolis.

2.34 Subd. 16a. **Multiline telephone system.** "Multiline telephone system" means  
 2.35 a private telephone system comprised of common control units, telephones, and control  
 2.36 hardware and software that share a common interface to the public switched telephone

3.1 network, are capable of placing an RFEA, or both. This definition includes network and  
 3.2 premises-based systems and systems owned or leased by governmental agencies and  
 3.3 nonprofit entities, as well as for-profit businesses.

3.4 Subd. 17. **911 service.** ~~(a) "911 service" means a telecommunications service~~  
 3.5 ~~that automatically connects a person dialing the digits 911 to an established public~~  
 3.6 ~~safety answering point.~~ all or parts of a service providing the capability to connect a  
 3.7 communications path from an origination service provider originating network carrying an  
 3.8 RFEA, such as a person dialing the digits 911 or an automobile onboard computer sending  
 3.9 an agree request message, to the appropriate PSAP. The entity or entities must also provide:

3.10 (1) a method of interconnection of all origination service providers that carry an  
 3.11 RFEA including but not limited to the wire-line, wireless, and VoIP carriers;

3.12 (2) a method and mechanism for routing an RFEA (911 call) to the PSAP with no  
 3.13 degradation in service regardless of the technology used to originate the call; and

3.14 (3) a method to provide accurate location information for an emergency caller to a  
 3.15 PSAP and, if required, to other emergency response agencies.

3.16 (b) 911 service includes:

3.17 (1) customer data and network components connecting to the common 911 network  
 3.18 and database;

3.19 (2) common 911 network and database equipment, as appropriate, for automatically  
 3.20 selectively the selective routing 911 calls of RFEA's to the public safety answering point  
 3.21 servicing the caller's jurisdiction PSAP; and

3.22 (3) provision of automatic location identification ALI if the public safety answering  
 3.23 point PSAP has the capability of providing that service.

3.24 Subd. 17a. **911 emergency telecommunications service provider.** ~~"911 emergency~~  
 3.25 ~~telecommunications service provider" means a telecommunications service provider or~~  
 3.26 ~~other an entity or entities, determined by the commissioner to be capable of providing~~  
 3.27 ~~effective and efficient components of the 911 system, that provides all or portions of the~~  
 3.28 ~~network and database for automatically selectively routing 911 calls to the public safety~~  
 3.29 ~~answering point servicing the caller's jurisdiction a portion of 911 service.~~

3.30 Subd. 18. **Public safety agency.** ~~"Public safety agency" means a functional division~~  
 3.31 ~~of a public agency which provides firefighting, police, medical, or other emergency~~  
 3.32 ~~services, or a private entity which provides emergency medical or ambulance services~~  
 3.33 any unit of local government, or entity acting officially on behalf of a unit of government,  
 3.34 or special purpose district, or entity formed under a joint powers agreement located in  
 3.35 whole or in part within this state that provides or has authority to provide firefighting,

4.1 police, ambulance, medical, or other emergency services whose purpose is to protect  
 4.2 life, property, and safety.

4.3 Subd. 19. **Public safety answering point or PSAP.** "Public safety answering point"  
 4.4 or "PSAP" means a public safety answering point" ~~means a communications facility~~  
 4.5 ~~operated on a 24-hour basis which first receives 911 calls from persons in a 911 service~~  
 4.6 ~~area and which may, as appropriate, directly dispatch public safety services or extend,~~  
 4.7 ~~transfer, or relay 911 calls to appropriate public safety agencies, a group of call takers~~  
 4.8 ~~authorized by a governing body and operating under common management who receive~~  
 4.9 ~~RFEA or 911 calls and asynchronous event notifications for a defined geographic area and~~  
 4.10 ~~processes those calls and events according to a specified operational policy.~~

4.11 Subd. 19a. **Secondary public safety answering point or secondary PSAP.**  
 4.12 "Secondary public safety answering point" or "secondary PSAP" means a communications  
 4.13 facility that: (1) is operated on a 24-hour basis, in which a minimum of three public safety  
 4.14 answering points (PSAP's) route calls for postdispatch or prearrival instructions; (2)  
 4.15 receives calls directly from medical facilities to reduce call volume at the PSAP's; and  
 4.16 (3) is able to receive 911 calls routed to it from a PSAP when the PSAP is unable to  
 4.17 receive or answer 911 calls.

4.18 Subd. 19b. **Shared residential multiline telephone system service.** "Shared  
 4.19 residential multiline telephone service" means the use of a multiline telephone system to  
 4.20 provide service to residential facilities. For purposes of this subdivision, "residential  
 4.21 facilities" means both single-family and multifamily facilities including extended care  
 4.22 facilities and dormitories.

4.23 ~~Subd. 20. **Wire-line telecommunications service provider.** "Wire-line~~  
 4.24 ~~telecommunications service provider" means a person, firm, association, corporation, or~~  
 4.25 ~~other legal entity, however organized, or combination of them, authorized by state or~~  
 4.26 ~~federal regulatory agencies to furnish telecommunications service, including local service,~~  
 4.27 ~~over wire-line facilities.~~

4.28 Subd. 21. **Wireless telecommunications service provider.** "Wireless  
 4.29 telecommunications service provider" means a provider of commercial mobile radio  
 4.30 services, as that term is defined in United States Code, title 47, section 332, subsection  
 4.31 (d), including all broadband personal communications services, wireless radio telephone  
 4.32 services, geographic area specialized and enhanced specialized mobile radio services, and  
 4.33 incumbent wide area specialized mobile radio licensees, that offers real-time, two-way  
 4.34 voice service interconnected with the public switched telephone network and that is doing  
 4.35 business in the state of Minnesota.

5.1 Subd. 27. **OSI.** "OSI" means open systems interconnection model for  
5.2 interconnection, per ITU-T Recommendation X.200.

5.3 Subd. 28. **AIP.** "AIP" means the entity providing physical communications access  
5.4 to the subscriber. This service includes physical and data link (OSI layer 1 and 2) network  
5.5 connectivity provided to its customers or users through digital subscriber lines, cable  
5.6 television plants, Ethernet, leased lines, or radio frequencies.

5.7 Subd. 29. **ASP.** "ASP" means the organizational entity that provides services over  
5.8 the presentation, session, and application-layers (OSI layers 5, 6, and 7) which might  
5.9 include voice services, but may alternatively provide other data services, such as text and  
5.10 video. This entity can be a private enterprise, a government entity, or a commercial service  
5.11 provider. This entity, if operating as an over-the-top service, interfaces directly with the  
5.12 customer, and often without visibility to or from the ISP and AIP.

5.13 Subd. 30. **ISP.** "ISP" means an organizational entity that facilitates the transmission  
5.14 of data within the network and transport layers (OSI layers 3 and 4) through routing  
5.15 and addressing.

5.16 Subd. 31. **Origination service.** "Origination service" means any or all of the  
5.17 services of the AIP, ASP, and ISP that are capable of originating service.

5.18 Subd. 32. **Origination service provider.** "Origination service provider" means an  
5.19 organization that provides a service that enables the origination of an RFEA, provided as  
5.20 discrete services, such as those provided individually as an AIP, ASP, and ISP, or a more  
5.21 expansive service made up of a combination of these services. These include, but are not  
5.22 limited to, wireline, wireless, VoIP, and packet-based communications.

5.23 Subd. 33. **Origination network.** "Origination network" means a logical network  
5.24 which originates an RFEA, transports an RFEA, or both to a termination network. An  
5.25 origination network is typically referred to as comprised of an access network, application  
5.26 service network, or both.

5.27 Subd. 34. **Termination network.** "Termination network" means a logical network  
5.28 which terminates or receives an RFEA from an origination network. The public safety  
5.29 network, such as NENA i3/NG9-1-1 ESInet, which receives incoming RFEA's in order  
5.30 to dispatch help is an instance of a termination network.

5.31 Subd. 35. **Emergency services IP network or ESInet.** "Emergency services  
5.32 IP network" or "ESInet" is a managed IP network that is used for emergency services  
5.33 communications, and which can be shared by all public safety agencies. It provides  
5.34 the IP transport infrastructure upon which independent application platforms and core  
5.35 functional processes can be deployed, including, but not limited to, those necessary for  
5.36 providing NG911 services. ESInets may be constructed from a mix of dedicated and

6.1 shared facilities. ESInets may be interconnected at local, regional, state, federal, national,  
 6.2 and international levels to form an IP-based inter-network.

6.3 Subd. 36. **Master street address guide or MSAG.** "Master street address guide" or  
 6.4 "MSAG" is a database of street names and house number ranges within their associated  
 6.5 communities defining emergency service zones (ESZ) and their associated emergency  
 6.6 service numbers (ESN) to enable proper routing of 911 calls.

6.7 Subd. 37. **National Emergency Number Association or NENA.** "National  
 6.8 emergency number association" or "NENA" is a not-for-profit corporation established in  
 6.9 1982 to further the goal of "one nation-one number." NENA is a networking source and  
 6.10 promotes research, planning, and training. NENA strives to educate, set standards, and  
 6.11 provide certification programs, legislative representation, and technical assistance for  
 6.12 implementing and managing 911 systems.

6.13 Subd. 38. **Next Generation 911 or NG911.** "Next Generation 911" or "NG911"  
 6.14 is an IP-based system comprised of managed IP-based network, functional elements  
 6.15 such as applications, and databases that replicate traditional E911 features and functions  
 6.16 and provide additional capabilities. NG911 is designed to provide access to emergency  
 6.17 services from all connected communications sources and provide multimedia data  
 6.18 capabilities for PSAP's and other emergency service organizations.

6.19 Sec. 2. Minnesota Statutes 2010, section 403.025, is amended to read:

6.20 **403.025 911 EMERGENCY TELECOMMUNICATIONS SYSTEM SERVICE**  
 6.21 **REQUIRED.**

6.22 Subdivision 1. **General requirement.** Each county ~~shall operate and maintain a~~  
 6.23 ~~911 emergency telecommunications system~~ is responsible for ensuring that 911 service is  
 6.24 provided within their jurisdiction.

6.25 Subd. 1a. **Emergency telephone number 911.** The digits 911, so designated by the  
 6.26 Federal Communications Commission, must be the primary emergency telephone number  
 6.27 within the system. A public safety agency authorized to operate a PSAP may maintain  
 6.28 a separate secondary backup number for emergency calls and shall maintain a separate  
 6.29 number for nonemergency telephone calls.

6.30 Subd. 1b. **Nondialing methods.** Nondialing methods of accessing 911 service, such  
 6.31 as smart device application, must be approved by the commissioner.

6.32 Subd. 2. **Multijurisdictional system.** The 911 ~~systems~~ service may be  
 6.33 multijurisdictional and regional in character provided that design and implementation are  
 6.34 preceded by cooperative planning on a county-by-county basis with local public safety  
 6.35 agencies.

7.1 Subd. 3. **Connected ~~telecommunications~~ service provider requirements.**

7.2 Every owner and operator of a wire-line ~~or~~ wireless circuit switched, or packet-based  
7.3 ~~telecommunications system~~ origination service network provider that allows their  
7.4 subscribers to make an RFEA and is connected to the public switched telephone network  
7.5 shall design and maintain the system to dial the 911 number without charge to the caller.

7.6 ~~Subd. 4. **Wireless requirements.** Every owner and operator of a wireless~~  
7.7 ~~telecommunications system shall design and maintain the system to dial the 911 number~~  
7.8 ~~without charge to the caller.~~

7.9 Subd. 5. **Pay phone requirements.** Every pay phone owner and operator shall  
7.10 permit dialing of the 911 number without coin and without charge to the caller.

7.11 Subd. 6. **Multistation or PBX system.** Every owner and operator of a multistation  
7.12 or private branch exchange (PBX) multiline telephone system shall design and maintain  
7.13 the system to dial the 911 number without charge to the caller.

7.14 Subd. 7. **Contractual requirements.** (a) The state shall contract with the county  
7.15 or other ~~governmental~~ public safety agencies operating ~~public safety answering points~~  
7.16 PSAP's and with the appropriate ~~wire-line telecommunications service providers or~~  
7.17 ~~other entities determined by the commissioner to be capable of providing effective and~~  
7.18 ~~efficient components of the 911 system for the operation, maintenance, enhancement, and~~  
7.19 ~~expansion of the 911 system~~ 911 service providers.

7.20 ~~(b) The state shall contract with the appropriate wireless telecommunications service~~  
7.21 ~~providers for maintaining, enhancing, and expanding the 911 system.~~

7.22 ~~(c) The~~ (b) Contract language or subsequent amendments to the contract must  
7.23 include a description of the services to be furnished to the county or other ~~governmental~~  
7.24 public safety agencies operating ~~public safety answering points~~ PSAP's. The contract  
7.25 language or subsequent amendments must include the terms of compensation based on  
7.26 the effective tariff or price list filed with the Public Utilities Commission or the prices  
7.27 agreed to by the parties.

7.28 ~~(d) (c)~~ The contract language or subsequent amendments to contracts between the  
7.29 parties must contain a provision for resolving disputes.

7.30 Sec. 3. Minnesota Statutes 2010, section 403.03, is amended to read:

7.31 **403.03 911 SERVICES TO BE PROVIDED.**

7.32 ~~Services available through a 911 system~~ County 911 service must include access to  
7.33 police, firefighting, and emergency medical and ambulance services. Other emergency and  
7.34 civil defense services may be incorporated into the 911 ~~system~~ service at the discretion

8.1 of the public safety agency operating the ~~public safety answering point~~ PSAP. The 911  
8.2 ~~system~~ service may include a referral to mental health crisis teams, where available.

8.3 Sec. 4. Minnesota Statutes 2010, section 403.05, is amended to read:

8.4 **403.05 911 ~~SYSTEM~~ SERVICE OPERATION AND MAINTENANCE.**

8.5 Subdivision 1. **Operate and maintain.** ~~Each county or any other governmental~~  
8.6 Any public safety agency authorized to operate a PSAP shall operate and maintain its 911  
8.7 ~~system~~ service to meet the requirements of governmental agencies whose services are  
8.8 available through the 911 ~~system~~ service and to permit future expansion or enhancement  
8.9 of the ~~system~~ service. ~~Each county or any other governmental agency shall ensure that a~~  
8.10 ~~911 emergency call made with a wireless access device is automatically connected to and~~  
8.11 ~~answered by the appropriate public safety answering point.~~

8.12 Subd. 2. **Rule requirements for 911 ~~system~~ service plans.** Each county or any  
8.13 other governmental agency shall maintain and update its 911 ~~system~~ service plans as  
8.14 required under Minnesota Rules, chapter ~~1215~~ 7580.

8.15 Subd. 3. **Agreements for service.** ~~Each county or any other governmental~~  
8.16 Any public safety agency authorized to operate a PSAP shall contract with the state  
8.17 for the recurring and nonrecurring costs associated with operating and maintaining  
8.18 ~~911 emergency communications systems~~ service. If requested by the county or other  
8.19 ~~governmental~~ public safety agency, the county or public safety agency is entitled to be  
8.20 a party to any contract between the state and any ~~wire-line telecommunications service~~  
8.21 ~~provider or 911 emergency telecommunications service provider providing components of~~  
8.22 ~~the 911 system within the county~~ 911 service provider providing 911 service within the  
8.23 county's or public safety agency's jurisdiction.

8.24 Sec. 5. Minnesota Statutes 2010, section 403.06, is amended to read:

8.25 **403.06 COMMISSIONER'S DUTIES.**

8.26 Subdivision 1. **System coordination, improvements, variations, and agreements.**  
8.27 The commissioner shall coordinate the maintenance of 911 ~~systems~~ services. The  
8.28 commissioner shall aid counties and public safety agencies in the formulation of  
8.29 concepts, methods, and procedures which will improve the operation and maintenance  
8.30 of 911 ~~systems~~ services. The commissioner shall establish procedures for determining  
8.31 and evaluating requests for variations from the established design standards. The  
8.32 commissioner shall respond to requests by ~~wireless or wire-line telecommunications~~ 911  
8.33 service providers or by counties or other governmental public safety agencies for system

9.1 service agreements, contracts, and tariff language promptly and no later than within 45  
 9.2 days of the request unless otherwise mutually agreed to by the parties.

9.3 Subd. 1a. **Biennial budget; annual financial report.** The commissioner shall  
 9.4 prepare a biennial budget for maintaining the 911 ~~system~~ service. By December 15 of each  
 9.5 year, the commissioner shall submit a report to the legislature detailing the expenditures  
 9.6 for maintaining the 911 ~~system~~ service, the 911 fees collected, the balance of the 911 fund,  
 9.7 and the 911-related administrative expenses of the commissioner. The commissioner  
 9.8 is authorized to expend money that has been appropriated to pay for the maintenance,  
 9.9 enhancements, and expansion of the 911 ~~system~~ service.

9.10 Subd. 2. **Waiver.** Any county, other governmental agency, ~~wireless~~  
 9.11 ~~telecommunications or origination~~ service provider, ~~or wire-line telecommunications~~  
 9.12 ~~service provider~~ may petition the commissioner for a waiver of all or portions of the  
 9.13 requirements. A waiver may be granted upon a demonstration by the petitioner that the  
 9.14 requirement is economically infeasible.

9.15 Sec. 6. Minnesota Statutes 2010, section 403.07, is amended to read:

9.16 **403.07 STANDARDS ESTABLISHED; DATA PRIVACY.**

9.17 Subdivision 1. **Rules.** The commissioner shall establish and adopt in accordance  
 9.18 with chapter 14, rules for the administration of this chapter and for the development of  
 9.19 911 ~~systems~~ services in the state including:

9.20 (1) minimum design standards for 911 ~~systems incorporating the standards adopted~~  
 9.21 ~~pursuant to subdivision 2 for the seven-county metropolitan area~~ services; and

9.22 (2) a procedure for determining and evaluating requests for variations from the  
 9.23 established design standards.

9.24 ~~Subd. 2. **Design standards for metropolitan area.** The Metropolitan 911 Board~~  
 9.25 ~~shall establish and adopt design standards for the metropolitan area 911 system and~~  
 9.26 ~~transmit them to the commissioner for incorporation into the rules adopted pursuant to~~  
 9.27 ~~this section.~~

9.28 Subd. 3. **Database.** In 911 ~~systems~~ services that have been approved by the  
 9.29 commissioner ~~for a local~~ which include a location identification database, each ~~wire-line~~  
 9.30 ~~telecommunications~~ origination service provider shall provide current subscriber  
 9.31 information including but not limited to the customer ~~names, service addresses, and~~ name  
 9.32 or names; service address; telephone numbers to each public safety answering point within  
 9.33 the 911 system number; device location; sufficient, as determined by the commissioner, to  
 9.34 determine the location of the caller, to the 911 system and shall update the information  
 9.35 according to a schedule prescribed by the ~~county 911 plan~~ commissioner. Information

10.1 provided under this subdivision must be provided in accordance with the transactional  
 10.2 record disclosure requirements of the Federal Communications Act of 1932, United States  
 10.3 Code, title 47, section 222, subsection (g).

10.4 Subd. 4. **Use of furnished subscriber information.** (a) ~~Names, addresses, and~~  
 10.5 ~~telephone numbers~~ Subscriber information provided to a 911 ~~system under subdivision 3~~  
 10.6 ~~are~~ service is private data and may be used only:

10.7 (1) ~~to identify the location or identity, or both, of a person calling a 911 public safety~~  
 10.8 ~~answering point~~ respond to an RFEA; or

10.9 (2) by a ~~public safety answering point~~ PSAP to notify the public of an emergency.

10.10 The subscriber information furnished under subdivision 3 may not be used or disclosed by  
 10.11 911 ~~system~~ public safety agencies, their agents, or their employees for any other purpose  
 10.12 except under a court order.

10.13 (b) For purposes of this subdivision, "emergency" means a situation in which  
 10.14 property or human life is in jeopardy and the prompt notification of the public by the  
 10.15 ~~public safety answering point~~ PSAP is essential.

10.16 Subd. 5. **Liability.** (a) ~~A wire-line telecommunications~~ An origination service  
 10.17 provider or 911 service provider, its employees, or its agents are not liable to any person  
 10.18 who uses ~~enhanced 911 telecommunications~~ service for release of subscriber information  
 10.19 required under this chapter to any ~~public safety answering point~~ PSAP.

10.20 (b) ~~A wire-line telecommunications~~ An origination service provider or 911  
 10.21 service provider is not liable to any person for the good faith release to emergency  
 10.22 communications personnel of information not in the public record, including, but not  
 10.23 limited to, nonpublished or nonlisted telephone numbers.

10.24 (c) ~~A wire-line telecommunications~~ An origination service provider or 911 service  
 10.25 provider, its employees, or its agents are not liable to any person for civil damages  
 10.26 resulting from or caused by any act or omission in the development, design, installation,  
 10.27 operation, maintenance, performance, or provision of ~~enhanced 911 telecommunications~~  
 10.28 service, except for willful or wanton misconduct.

10.29 (d) A multiline telephone system manufacturer, provider, or operator is not liable  
 10.30 for any civil damages or penalties as a result of any act or omission, except willful or  
 10.31 wanton misconduct, in connection with developing, designing, installing, maintaining,  
 10.32 performing, provisioning, adopting, operating, or implementing any plan or system  
 10.33 required by section 403.15.

10.34 (e) ~~A telecommunications~~ Any origination service provider or 911 service provider  
 10.35 that participates in or cooperates with the ~~public safety answering point~~ PSAP in notifying

11.1 the public of an emergency, as authorized under subdivision 4, is immune from liability  
 11.2 arising out of the notification except for willful or wanton misconduct.

11.3 Sec. 7. Minnesota Statutes 2010, section 403.08, is amended to read:

11.4 **403.08 ~~WIRELESS TELECOMMUNICATIONS~~ ORIGINATION SERVICE**  
 11.5 **PROVIDER PROVIDERS; RESPONSIBILITIES.**

11.6 Subd. 6a. **Application.** This section applies to all origination service providers  
 11.7 that offer service within the state that provide for a customer to send an RFEA to the  
 11.8 911 system.

11.9 Subd. 7. **Duties.** Each ~~wireless telecommunications~~ origination service provider  
 11.10 offering service within the state shall cooperate in planning and implementing  
 11.11 integration with ~~enhanced the 911 systems~~ services operating in their service  
 11.12 territories to meet federal 911 standards, including the Federal Communications  
 11.13 ~~Commission-enhanced~~ Commission, as well as the commissioner's 911 standards. Each  
 11.14 ~~wireless telecommunications~~ origination service provider shall annually develop and  
 11.15 provide to the commissioner good faith estimates of ~~installation and recurring expenses~~  
 11.16 ~~to integrate wireless 911 service into the enhanced 911 networks to meet Federal~~  
 11.17 ~~Communications Commission phase one wireless enhanced 911 standards~~ that provider's  
 11.18 number of customers whose billing address is within the state to meet the current FCC  
 11.19 requirements. The commissioner shall coordinate with ~~counties and affected public~~  
 11.20 ~~safety agency~~ representatives of public safety agencies authorized to operate a PSAP in  
 11.21 developing a statewide design and plan for implementation.

11.22 Subd. 9. **Scope.** ~~Planning considerations must include cost, degree of A plan for~~  
 11.23 integration into ~~existing 911 systems,~~ services must meet the retention of existing 911  
 11.24 ~~infrastructure,~~ commissioner's minimum design standards and be reviewed and approved  
 11.25 by the commissioner prior to operating within the potential implications of phase 2 of  
 11.26 state. Any proposed changes to the Federal Communications Commission wireless  
 11.27 ~~enhanced 911 standards~~ integration must be reviewed and approved by the commissioner.

11.28 Subd. 10. **Plan integration.** ~~Counties~~ Public safety agencies authorized to operate  
 11.29 a PSAP shall incorporate the statewide design when modifying county 911 plans to  
 11.30 provide for integrating ~~wireless new 911 service services~~ into existing county 911 ~~systems~~  
 11.31 ~~services.~~ The commissioner shall contract with the involved wireless service providers  
 11.32 ~~and 911 emergency telecommunications service providers to integrate cellular and other~~  
 11.33 ~~wireless services into existing 911 systems where feasible.~~

11.34 Subd. 11. **Liability.** (a) No ~~wireless enhanced 911 emergency telecommunications~~  
 11.35 origination service provider, its employees, or its agents are liable to any person for civil

12.1 damages resulting from or caused by any act or omission in the development, design,  
 12.2 installation, operation, maintenance, performance, or provision of ~~enhanced 911 wireless~~  
 12.3 service, except for willful or wanton misconduct.

12.4 ~~(b) No wireless carrier, its employees, or its agents are liable to any person who uses~~  
 12.5 ~~enhanced 911 wireless service for release of subscriber information required under this~~  
 12.6 ~~chapter to any public safety answering point.~~

12.7 Subd. 12. **Notification of subscriber mobile subscribers.** A provider of wireless  
 12.8 ~~telecommunications services~~ An origination service provider who provides mobile service  
 12.9 shall notify its subscribers at the time of initial subscription ~~and four times per year~~  
 12.10 ~~thereafter~~ that a 911 emergency call made from a ~~wireless telephone~~ mobile device is not  
 12.11 always answered by a local ~~public safety answering point~~ PSAP but may be routed to a  
 12.12 ~~State Patrol dispatcher~~ an alternate PSAP and that, accordingly, the caller must provide  
 12.13 specific information regarding the caller's location when placing an RFEA.

12.14 Sec. 8. Minnesota Statutes 2010, section 403.09, subdivision 2, is amended to read:

12.15 Subd. 2. **Commission authority.** At the request of the public utilities commission,  
 12.16 the attorney general may commence proceedings before the district court pursuant to  
 12.17 section 237.27, against any ~~wire-line telecommunications~~ origination service provider or  
 12.18 911 service provider that refuses to comply with this chapter.

12.19 Sec. 9. Minnesota Statutes 2010, section 403.10, is amended to read:

12.20 **403.10 COOPERATIVE AGREEMENT.**

12.21 Subdivision 1. **Authority.** All public safety agencies and counties that ~~are part~~  
 12.22 ~~of different 911 systems but~~ share common boundary lines may enter into cooperative  
 12.23 agreements to provide that once an emergency unit is dispatched in response to a request  
 12.24 through the system, the unit shall render its services to the requesting party without regard  
 12.25 to jurisdictional boundaries.

12.26 Subd. 2. **Notice to public safety agency.** Public safety agencies with jurisdictional  
 12.27 responsibilities shall in all cases be notified by the ~~public safety answering point~~ PSAP of  
 12.28 a request for service in their jurisdiction.

12.29 Subd. 3. **Allocating costs.** Counties, public safety agencies, operating ~~public safety~~  
 12.30 ~~answering points~~ PSAP's, and other local governmental units may enter into cooperative  
 12.31 agreements under section 471.59 for the allocation of operational and capital costs  
 12.32 attributable to the 911 ~~system~~ service.

13.1 Sec. 10. Minnesota Statutes 2010, section 403.11, is amended to read:

13.2 **403.11 911 ~~SYSTEM~~ SERVICE COST ACCOUNTING REQUIREMENTS;**  
 13.3 **FEE.**

13.4 Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each  
 13.5 customer of a ~~wireless or wire-line switched or packet-based telecommunications~~ an  
 13.6 origination service provider ~~connected to the public switched telephone network~~ that  
 13.7 furnishes a service, product, device, or licensed application interconnected with the  
 13.8 public switched telephone network capable of originating a ~~911 emergency telephone call~~  
 13.9 an RFEA which, under normal routing conditions, would terminate in a PSAP within  
 13.10 the state of Minnesota is assessed a fee based upon the number of subscribers wired  
 13.11 or wireless telephone lines, wireless, VoIP, or their equivalent, to cover the costs of  
 13.12 ongoing maintenance and related improvements for trunking and central office switching  
 13.13 equipment for 911 emergency telecommunications service, with a billing address within  
 13.14 the state, to cover the cost of the 911 system; to offset administrative and staffing costs of  
 13.15 the commissioner related to managing the 911 emergency telecommunications service  
 13.16 program, to make distributions provided for in this section and section 403.113, and to  
 13.17 offset the costs, including administrative and staffing costs, incurred by the State Patrol  
 13.18 Division of the Department of Public Safety in handling 911 emergency calls made from  
 13.19 wireless phones.

13.20 (b) Money remaining in the 911 emergency telecommunications service fee account  
 13.21 after all other obligations are paid must not cancel and is carried forward to subsequent  
 13.22 years and may be appropriated ~~from time to time~~ to the commissioner to provide financial  
 13.23 assistance for the improvement of public safety communications and to counties ~~for the~~  
 13.24 ~~improvement of local emergency telecommunications services.~~ The improvements may  
 13.25 ~~include providing access to 911 service for telecommunications service subscribers~~  
 13.26 ~~currently without access and upgrading existing 911 service to include automatic number~~  
 13.27 ~~identification, local location identification, automatic location identification, and other~~  
 13.28 ~~improvements specified in revised county 911 plans approved by the commissioner~~ only  
 13.29 for the purposes provided for 911 services in this chapter.

13.30 (c) The fee may not be less than eight cents nor more than 65 cents ~~a~~ per month until  
 13.31 June 30, 2008, not less than eight cents nor more than 75 cents ~~a~~ per month until June  
 13.32 30, 2009, not less than eight cents nor more than 85 cents ~~a~~ per month until June 30,  
 13.33 2010, and not less than eight cents nor more than 95 cents ~~a~~ per month on or after July  
 13.34 1, 2010, for each customer access line or other basic access service capable of placing  
 13.35 an RFEA, including trunk equivalents as designated by the Public Utilities Commission  
 13.36 for access charge purposes and including wireless telecommunications services. The

14.1 fee must be the same for all callers capable of making an RFEA. With the approval of  
 14.2 the commissioner of management and budget, the commissioner of public safety shall  
 14.3 establish the amount of the fee within the limits specified and inform the companies and  
 14.4 carriers of the amount to be collected. When the revenue bonds authorized under section  
 14.5 403.27, subdivision 1, have been fully paid or defeased, the commissioner shall reduce  
 14.6 the fee to reflect that debt service on the bonds is no longer needed. The commissioner  
 14.7 shall provide ~~companies and carriers~~ a minimum of 45 days' notice of each fee change.  
 14.8 ~~The fee must be the same for all customers.~~

14.9 (d) The fee must be collected by each ~~wireless or wire-line telecommunications~~  
 14.10 origination service provider whose customers are capable of making an RFEA and are  
 14.11 subject to the fee. Fees are payable to and must be submitted to the commissioner monthly  
 14.12 before the 25th of each month following the month of collection, except that fees may  
 14.13 be submitted quarterly if less than \$250 ~~a~~ per month is due, or annually if less than \$25  
 14.14 ~~a~~ per month is due. Receipts must be deposited in the state treasury and credited to a  
 14.15 911 emergency telecommunications service fee account in the special revenue fund.  
 14.16 The money in the account may only be used for 911 ~~telecommunications~~ services as  
 14.17 outlined in this chapter.

14.18 ~~(e) This subdivision does not apply to customers of interexchange carriers.~~

14.19 ~~(f) The installation and recurring charges for integrating wireless 911 calls into~~  
 14.20 ~~enhanced 911 systems are eligible for payment by the commissioner if the 911 service~~  
 14.21 ~~provider is included in the statewide design plan and the charges are made pursuant to~~  
 14.22 ~~contract.~~

14.23 ~~(g)~~ (e) Competitive local exchanges carriers holding certificates of authority from  
 14.24 the Public Utilities Commission are eligible to receive payment for recurring 911 services  
 14.25 as negotiated within contract.

14.26 Subd. 1a. **Fee collection declaration.** If the commissioner disputes the accuracy  
 14.27 of a fee submission or if no fees are submitted by ~~a wireless, wire-line, or packet-based~~  
 14.28 ~~telecommunications~~ an origination service provider, the ~~wireless, wire-line, or~~  
 14.29 ~~packet-based telecommunications~~ service provider shall submit a sworn declaration signed  
 14.30 by an officer of the company certifying, under penalty of perjury, that the information  
 14.31 provided with the fee submission is true and correct. The sworn declaration must  
 14.32 specifically describe and affirm that the 911 fee computation is complete and accurate.  
 14.33 When ~~a wireless, wire-line, or packet-based telecommunications~~ an origination service  
 14.34 provider fails to provide a sworn declaration within 90 days of notice by the commissioner  
 14.35 that the fee submission is disputed, the commissioner may estimate the amount due from

15.1 the ~~wireless, wire-line, or packet-based telecommunications~~ origination service provider  
15.2 and refer that amount for collection under section 16D.04.

15.3 Subd. 1b. **Examination of fees.** If the commissioner determines that an examination  
15.4 is necessary to document the fee submission and sworn declaration in subdivision 1a, the  
15.5 ~~wireless, wire-line, or packet-based telecommunications~~ origination service provider must  
15.6 contract with an independent certified public accountant to conduct an examination of  
15.7 fees. The examination must be conducted in accordance with attestation audit standards.

15.8 Subd. 3. **Method of payment.** (a) Any ~~wireless or wire-line telecommunications~~  
15.9 911 service provider incurring reimbursable costs under ~~subdivision 1~~ contract with the  
15.10 commissioner shall submit an invoice itemizing rate elements by state, region, county, or  
15.11 service area to the commissioner for 911 services furnished under contract. Any ~~wireless~~  
15.12 ~~or wire-line telecommunications~~ 911 service provider is eligible to receive payment for  
15.13 911 services rendered according to the terms and conditions specified in the contract. The  
15.14 commissioner shall pay the invoice within 30 days following receipt of the invoice unless  
15.15 the commissioner notifies the service provider that the commissioner disputes the invoice.

15.16 (b) The commissioner shall estimate the amount required to reimburse  
15.17 ~~911 emergency telecommunications service providers and wireless and wire-line~~  
15.18 ~~telecommunications~~ service providers for the state's obligations under ~~subdivision 1~~  
15.19 contract and the governor shall include the estimated amount in the biennial budget  
15.20 request.

15.21 Subd. 3a. **Timely invoices.** An invoice for services provided for in the 911 contract  
15.22 with a ~~wireless or wire-line telecommunications~~ service provider must be submitted to  
15.23 the commissioner no later than 90 days after commencing a new or additional eligible  
15.24 911 service. Each applicable contract must provide that, if certified expenses under the  
15.25 contract deviate from estimates in the contract by more than ten percent, the commissioner  
15.26 may reduce the level of service without incurring any termination fees.

15.27 Subd. 3b. **Declaration.** If the commissioner disputes an invoice, the ~~wireless~~  
15.28 ~~and wire-line telecommunications~~ service providers shall submit a declaration under  
15.29 section 16A.41 signed by an officer of the company with the invoices for payment of  
15.30 service described in the service provider's 911 contract. The sworn declaration must  
15.31 specifically describe and affirm that the 911 service contracted for is being provided  
15.32 and the costs invoiced for the service are true and correct. When a ~~wireless or wire-line~~  
15.33 ~~telecommunications~~ service provider fails to provide a sworn declaration within 90  
15.34 days of notice by the commissioner that the invoice is disputed, the disputed amount of  
15.35 the invoice must be disallowed.

16.1 Subd. 3c. **Audit.** If the commissioner determines that an audit is necessary to  
 16.2 document the invoice and sworn declaration in subdivision 3b, the ~~wireless or wire-line~~  
 16.3 ~~telecommunications~~ service provider must contract with an independent certified public  
 16.4 accountant to conduct the audit. The audit must be conducted according to generally  
 16.5 accepted accounting principles. The ~~wireless or wire-line telecommunications~~ service  
 16.6 provider is responsible for any costs associated with the audit.

16.7 Subd. 4. **Local recurring costs.** Recurring costs of telecommunications equipment  
 16.8 and services at ~~public safety answering points~~ PSAP's must be borne by the local  
 16.9 ~~governmental public safety agency operating the public safety answering point~~ authorized  
 16.10 to operate the PSAP or allocated pursuant to section 403.10, subdivision 3. Costs  
 16.11 attributable to local government electives for services not otherwise addressed under  
 16.12 section 403.11 or 403.113 must be borne by the ~~governmental public safety agency~~  
 16.13 requesting the elective service.

16.14 Subd. 5. **Tariff notification.** ~~Wire-line telecommunications service providers or~~  
 16.15 ~~wireless telecommunications~~ Origination service providers and 911 service providers  
 16.16 holding eligible telecommunications carrier status shall give notice to the commissioner  
 16.17 and any other affected ~~governmental public safety agency~~ authorized to operate a PSAP of  
 16.18 tariff or price list changes related to 911 service at the same time that the filing is made  
 16.19 with the public utilities commission.

16.20 Sec. 11. Minnesota Statutes 2010, section 403.113, is amended to read:

16.21 **403.113 ENHANCED 911 SERVICE COSTS; FEE.**

16.22 Subdivision 1. **Fee.** A portion of the fee collected under section 403.11 must be  
 16.23 used to fund implementation, operation, maintenance, enhancement, and expansion of  
 16.24 ~~enhanced~~ 911 service, including acquisition of necessary equipment and the costs of the  
 16.25 commissioner to administer the program.

16.26 Subd. 2. **Distribution of money.** (a) After payment of the costs of the commissioner  
 16.27 to administer the program, the commissioner shall distribute the money collected under  
 16.28 this section as follows:

16.29 (1) one-half of the amount equally to all qualified counties, and after October 1, 1997,  
 16.30 to all qualified counties, existing ~~ten public safety answering points~~ PSAP's operated by  
 16.31 the Minnesota State Patrol, and each governmental entity operating the individual ~~public~~  
 16.32 ~~safety answering points~~ PSAP's serving the Metropolitan Airports Commission, the Red  
 16.33 Lake ~~Indian~~ Nation Reservation, and the University of Minnesota Police Department; and

16.34 (2) the remaining one-half to qualified counties and cities with existing 911 ~~systems~~  
 16.35 services based on each county's or city's percentage of the total population of qualified

17.1 counties and cities. The population of a qualified city with an existing system must be  
 17.2 deducted from its county's population when calculating the county's share under this  
 17.3 clause if the city seeks direct distribution of its share.

17.4 (b) A county's share under subdivision 1 must be shared pro rata between the county  
 17.5 and existing city systems in the county. A county or city or other governmental entity as  
 17.6 described in paragraph (a), clause (1), shall deposit money received under this subdivision  
 17.7 in an interest-bearing fund or account separate from the governmental entity's general fund  
 17.8 and may use money in the fund or account only for the purposes specified in subdivision 3.

17.9 (c) A county or city or other governmental entity as described in paragraph (a),  
 17.10 clause (1), is not qualified to share in the distribution of money for enhanced 911 service if  
 17.11 it has not implemented enhanced 911 service before December 31, 1998.

17.12 (d) For the purposes of this subdivision, "existing city system" means a city 911  
 17.13 ~~system service that provides~~ has continuously provided at least basic 911 service ~~and that~~  
 17.14 ~~was implemented~~ on or before April 1, 1993.

17.15 Subd. 3. **Local expenditures.** (a) Money distributed under subdivision 2  
 17.16 ~~for enhanced 911 service~~ may be spent on ~~enhanced 911 system service~~ service costs for  
 17.17 the purposes stated in subdivision 1. In addition, money may be spent to lease,  
 17.18 purchase, lease-purchase, or maintain ~~enhanced 911~~ equipment, including telephone  
 17.19 equipment; recording equipment; computer hardware; computer software for database  
 17.20 provisioning, addressing, mapping, and any other software necessary for automatic  
 17.21 location identification ~~or local location identification~~; trunk lines; ~~selective~~ routing and  
 17.22 networking equipment; the master street address guide; dispatcher ~~public safety answering~~  
 17.23 ~~point PSAP~~ equipment proficiency and operational skills; pay for long-distance charges  
 17.24 incurred due to transferring 911 calls to other jurisdictions; and the equipment necessary  
 17.25 within the ~~public safety answering point PSAP~~ for community alert systems and to notify  
 17.26 and communicate with the emergency services requested by the 911 caller.

17.27 (b) Money distributed for enhanced 911 service may not be spent on:

17.28 (1) purchasing or leasing of real estate or cosmetic additions to or remodeling of  
 17.29 communications centers;

17.30 (2) mobile communications vehicles, fire engines, ambulances, law enforcement  
 17.31 vehicles, or other emergency vehicles;

17.32 (3) signs, posts, or other markers related to addressing or any costs associated with  
 17.33 the installation or maintenance of signs, posts, or markers.

17.34 Subd. 4. **Audits.** Each county and city or other governmental entity as described  
 17.35 in subdivision 2, paragraph (a), clause (1), shall conduct an annual audit on the use of

18.1 funds distributed to it for ~~enhanced~~ 911 service. A copy of each audit report must be  
 18.2 submitted to the commissioner.

18.3 Sec. 12. Minnesota Statutes 2010, section 403.15, is amended to read:

18.4 **403.15 MULTILINE TELEPHONE SYSTEM 911 REQUIREMENTS.**

18.5 Subdivision 1. **Multistation or PBX system.** Except as otherwise provided in this  
 18.6 section, every owner and operator of a new multistation or private branch exchange (PBX)  
 18.7 multiline telephone system, or equivalent, purchased after December 31, 2004, shall design  
 18.8 and maintain the system to provide a callback number and emergency response location.

18.9 Subd. 2. **Multiline telephone system user dialing instructions.** Each multiline  
 18.10 telephone system, or equivalent, operator must demonstrate or otherwise inform each new  
 18.11 telephone system user how to call for emergency assistance from that particular multiline  
 18.12 telephone system.

18.13 Subd. 3. **Shared residential multiline telephone system.** On and after January 1,  
 18.14 2005, operators of shared multiline telephone systems, or equivalent, whenever installed,  
 18.15 serving residential customers shall ensure that the shared multiline telephone system  
 18.16 is connected to the public switched network and that ~~911 calls~~ RFEA from the system  
 18.17 result in at least one distinctive automatic number identification and automatic location  
 18.18 identification for each residential unit, except those requirements do not apply if the  
 18.19 residential facility maintains one of the following:

18.20 (1) automatic location identification for each respective emergency response  
 18.21 location;

18.22 (2) the ability to direct emergency responders to the 911 caller's location through an  
 18.23 alternative and adequate means, such as the establishment of a 24-hour private answering  
 18.24 point; or

18.25 (3) a connection to a switchboard operator, attendant, or other designated on-site  
 18.26 individual.

18.27 Subd. 4. **Hotel or motel multiline telephone system.** Operators of hotel and motel  
 18.28 multiline telephone systems, or equivalents, shall permit the dialing of 911 and shall  
 18.29 ensure that 911 calls originating from hotel or motel multiline telephone systems allow the  
 18.30 911 ~~system~~ service to clearly identify the address and specific location of the 911 caller.

18.31 Subd. 5. **Business multiline telephone system.** (a) An operator of business  
 18.32 multiline telephone systems connected to the public switched telephone network and  
 18.33 serving business locations of one employer shall ensure that calls to 911 from any  
 18.34 telephone on the system result in one of the following:

19.1 (1) automatic location identification for each respective emergency response  
19.2 location;

19.3 (2) an ability to direct emergency responders to the 911 caller's location through an  
19.4 alternative and adequate means, such as the establishment of a 24-hour private answering  
19.5 point; or

19.6 (3) a connection to a switchboard operator, attendant, or other designated on-site  
19.7 individual.

19.8 (b) Except as provided in paragraph (c), providers of multiline telephone systems, or  
19.9 equivalents, serving multiple employers' business locations shall ensure that calls to 911  
19.10 from any telephone result in automatic location identification for the respective emergency  
19.11 response location of each business location sharing the system.

19.12 (c) Only one emergency response location is required in the following circumstances:

19.13 (1) an employer's work space is less than 40,000 square feet, located on a single  
19.14 floor and on a single contiguous property;

19.15 (2) an employer's work space is less than 7,000 square feet, located on multiple  
19.16 floors and on a single contiguous property; or

19.17 (3) an employer's work space is a single public entrance, single floor facility on a  
19.18 single contiguous property.

19.19 Subd. 6. **Schools.** A multiline telephone system, or equivalent, operated by a  
19.20 public or private educational institution, including a system serving dormitories and other  
19.21 residential customers, is subject to this subdivision and is not subject to subdivision 3. The  
19.22 operator of the education institution multiline system connected to the public switched  
19.23 network must ensure that calls to 911 from any telephone on the system result in one of  
19.24 the following:

19.25 (1) automatic location identification for each respective emergency response  
19.26 location;

19.27 (2) an ability to direct emergency responders to the 911 caller's location through an  
19.28 alternative and adequate means, such as the establishment of a 24-hour private answering  
19.29 point; or

19.30 (3) a connection to a switchboard operator, attendant, or other designated on-site  
19.31 individual.

19.32 Subd. 7. **Exemptions.** (a) Multiline telephone systems, or equivalents, with a  
19.33 single emergency response location are exempt from subdivisions 1 and 3 to 6 and section  
19.34 403.07, subdivision 3.

20.1 (b) Multiline telephone system operators that employ alternative methods of  
 20.2 ~~enhanced~~ 911 support are exempt from subdivisions 1 and 3 to 6 and section 403.07,  
 20.3 subdivision 3.

20.4 (c) A multiline telephone system operator may apply for an exemption from the  
 20.5 requirements in this section from the chief officer of each ~~public safety answering point~~  
 20.6 PSAP serving that jurisdiction.

20.7 Subd. 8. **Applicability.** The requirements of subdivisions 4, 5, and 6 apply to new  
 20.8 multiline telephone systems, or their equivalents, purchased after December 31, 2004. The  
 20.9 requirements of subdivisions 2 and 3 and the exemptions in subdivision 7 apply regardless  
 20.10 of when the multiline telephone system was installed.

20.11 Sec. 13. Minnesota Statutes 2010, section 403.21, subdivision 2, is amended to read:

20.12 Subd. 2. **Statewide Radio Board.** ~~"Board" or "radio board" means the Statewide~~  
 20.13 ~~Radio Board.~~ "Statewide Radio Board," "radio board," or "board" means the Statewide  
 20.14 Radio Board established under section 403.36 and where the Statewide Radio Board  
 20.15 has affirmatively elected to become a Statewide Emergency Communication Board as  
 20.16 provided in section 403.382 it shall mean the Statewide Emergency Communication  
 20.17 Board as the successor to the Statewide Radio Board.

20.18 Sec. 14. Minnesota Statutes 2010, section 403.21, is amended by adding a subdivision  
 20.19 to read:

20.20 Subd. 2a. **Allied Radio Matrix for Emergency Response (ARMER).** "Allied  
 20.21 Radio Matrix for Emergency Response," "ARMER," "statewide, shared, trunked radio,  
 20.22 and communication system," or "statewide public safety radio system" means the public  
 20.23 safety radio system established under section 403.36.

20.24 Sec. 15. Minnesota Statutes 2010, section 403.21, subdivision 13, is amended to read:

20.25 Subd. 13. **Regional radio board.** "Regional radio board" or "regional board" means  
 20.26 a regional radio board established under section 403.39 and shall include any successor  
 20.27 organization to the regional radio board.

20.28 Sec. 16. Minnesota Statutes 2010, section 403.37, subdivision 1, is amended to read:

20.29 Subdivision 1. **General.** In addition to any other powers specifically provided  
 20.30 by law, the Statewide Radio Board has the powers necessary to oversee the planning,  
 20.31 implementation, and maintenance of the ARMER system given in this section.

21.1 Sec. 17. Minnesota Statutes 2010, section 403.38, is amended to read:

21.2 **403.38 STATEWIDE ARMER INTEGRATION.**

21.3 Notwithstanding any provision to the contrary in sections 403.21 to 403.40, the  
 21.4 Statewide Radio Board has the final authority over technical and operational standards  
 21.5 necessary to provide for the development and implementation of ~~a statewide backbone~~ the  
 21.6 ARMER system that maximizes the integration of the public safety radio communication  
 21.7 system throughout the state, including the backbone previously established by the  
 21.8 Metropolitan Radio Board. Technical and operational standards that do not interfere with  
 21.9 the integration of the system may be established locally or regionally.

21.10 Sec. 18. **[403.382] STATEWIDE EMERGENCY COMMUNICATION BOARD.**

21.11 Subdivision 1. **Statewide Emergency Communication Board.** (a) By an  
 21.12 affirmative vote of a majority of the members of the Statewide Radio Board, the board  
 21.13 may elect to become a Statewide Emergency Communication Board.

21.14 (b) As a Statewide Emergency Communication Board, the board will be responsible  
 21.15 for the statewide coordination of 911 service in addition to existing responsibilities for the  
 21.16 ARMER system provided for in sections 403.21 to 403.37.

21.17 Subd. 2. **911 service.** In addition to any other powers specifically provided by law,  
 21.18 the Statewide Emergency Communication Board has the powers given in this section for  
 21.19 the coordination of 911 services.

21.20 Subd. 3. **Planning.** The board shall coordinate the plan for the implementation of  
 21.21 Minnesota's next generation 911 service with local and regional plans and modify the plan  
 21.22 as necessary to facilitate the implementation of 911 services throughout the state.

21.23 Subd. 4. **911 service architecture.** The board shall define the standards for system  
 21.24 performance of 911 service necessary to assure development that maximizes compatibility  
 21.25 and interoperability of 911 service throughout the state.

21.26 Subd. 5. **Implementation.** The board shall oversee the implementation of the  
 21.27 plan for 911 service and ensure that the 911 services are implemented, operated, and  
 21.28 maintained in accordance with the 911 service plan.

21.29 Subd. 6. **System enhancements.** The board shall coordinate the extent to  
 21.30 which local governments and nongovernmental public safety entities eligible for direct  
 21.31 connection to Minnesota's 911 network may provide for system enhancements at their  
 21.32 own expense.

21.33 Subd. 7. **Technical standards.** The board shall establish and enforce performance  
 21.34 and technical standards for the operation of 911 services.

22.1 Subd. 8. **Protocols.** The board shall establish and enforce priorities or protocols for  
 22.2 the system that facilitates statewide uniformity.

22.3 Subd. 9. **Other emergency communication system planning and coordination.**

22.4 In addition to powers provided for in this section for the coordination of 911 service, the  
 22.5 board shall be responsible for planning and coordination of the following public safety  
 22.6 emergency communication networks:

22.7 (1) developing and maintaining a plan for the implementation of a statewide public  
 22.8 safety broadband network, including the definition of technical and operational standards  
 22.9 for that network; and

22.10 (2) other wireless communication technologies or wireless communication networks  
 22.11 for public safety communications, where the board finds that coordination and planning on  
 22.12 a regional or statewide basis is appropriate or where regional or statewide coordination  
 22.13 has been requested by the Federal Communications Commission or the Department of  
 22.14 Homeland Security which is coordinating the technology or network on a national level.

22.15 Sec. 19. Minnesota Statutes 2010, section 403.39, is amended to read:

22.16 **403.39 REGIONAL RADIO BOARDS.**

22.17 Subdivision 1. **Establishment.** Notwithstanding the provisions of section 471.59,  
 22.18 subdivision 1, requiring commonality of powers, two or more counties or a city and one or  
 22.19 more counties within a region defined in the statewide radio board's project plan under  
 22.20 section 403.36, through action of their governing bodies, by adoption of a joint powers  
 22.21 agreement that complies with section 471.59, subdivisions 1 to 5, may establish a regional  
 22.22 radio board to implement, maintain, and operate regional and local improvements to the  
 22.23 statewide, shared, trunked radio and communication system provided for in section 403.36.  
 22.24 Where the governing bodies of the participating units of government of a regional radio  
 22.25 board have approved an amendment to the regional radio board's joint powers agreement  
 22.26 authorizing the incorporation of a federally recognized Indian tribe into the joint powers  
 22.27 agreement, the federally recognized Indian tribe may be incorporated into the joint powers  
 22.28 agreement upon the adoption of the joint powers agreement by the tribe's governing body.  
 22.29 Membership in a regional radio board shall include one county commissioner appointed  
 22.30 by each respective county board party to the joint powers agreement and an elected official  
 22.31 from any city party to the joint powers agreement, and may include additional members  
 22.32 whose qualifications are specified in the joint powers agreement.

22.33 Subd. 2. **Powers.** In addition to the powers enumerated in section 471.59, a regional  
 22.34 radio board, as necessary and convenient to implement regional and local improvements

23.1 to the statewide, shared, trunked radio and communication system provided for in section  
23.2 403.36, has the following powers:

23.3 (1) to establish bylaws and other organizational procedures consistent with the terms  
23.4 of the joint powers agreement;

23.5 (2) to apply for and hold licenses for public safety frequencies to be used in regional  
23.6 and local improvements, including a regional data system;

23.7 (3) to set or adopt regional performance and technical standards, subject to review  
23.8 by the Statewide Radio Board, that do not interfere with the backbone or interoperability  
23.9 infrastructure administered by the Statewide Radio Board;

23.10 (4) to enter into contracts necessary to carry out its responsibilities;

23.11 (5) to acquire by purchase, lease, gift, or grant, property, both real and personal,  
23.12 and interests in property necessary for the accomplishment of its purposes and to sell or  
23.13 otherwise dispose of property it no longer requires; and

23.14 (6) to contract with the state of Minnesota, through the commissioner of  
23.15 transportation, for construction, ownership, operation, and maintenance of regional or  
23.16 local improvements to the statewide, shared, trunked radio and communication system.

23.17 Subd. 3. **Relationship to local governments.** Where a regional radio board has  
23.18 been established in accordance with this section, local governments and other public  
23.19 entities eligible under part 90 of the FCC rules to operate upon a statewide, shared public  
23.20 safety radio and communication system within the region covered by the regional radio  
23.21 board must coordinate its implementation through one of the parties to the joint powers  
23.22 agreement. For purposes of grants made available by the Department of Public Safety, a  
23.23 regional radio board is entitled to apply for ~~and~~ receive ~~a grant~~, and administer grants  
23.24 on behalf of one or more public safety entities operating within the counties who are a  
23.25 party to the joint powers agreement.

23.26 Subd. 4. **Scope.** Nothing in this section shall limit a regional radio board organized  
23.27 under section 471.59 from expanding the scope of the joint powers agreement to include  
23.28 the joint or cooperative exercise of powers consistent with section 471.59 related to  
23.29 other public safety purposes which may include the joint and cooperative exercise of  
23.30 powers among less than all members of the regional radio board. An amendment to the  
23.31 joint powers agreement expanding the scope of the agreement must be approved by the  
23.32 governing bodies of each of the members of the regional radio board.

23.33 Sec. 20. **[403.392] REGIONAL EMERGENCY COMMUNICATION BOARDS.**

23.34 Subdivision 1. **Regional emergency communication board election.** A regional  
23.35 radio board may elect to become a regional emergency communication board by amending

24.1 the joint powers agreement establishing the regional radio board to include responsibility  
 24.2 for coordinating 911 service within the region.

24.3 Subd. 2. **Powers of regional emergency communication board.** Where a regional  
 24.4 radio board has elected to become a regional emergency communication board, the board  
 24.5 may provide for the exercise of the following powers in its joint power agreement, in  
 24.6 addition to powers provided for in sections 403.39 and 471.59:

24.7 (1) develop and maintain a regional plan for the implementation of Next Generation  
 24.8 911 (NG911) service within the region or within subregions of the region; and

24.9 (2) establish regional technical and operational standards for the implementation of  
 24.10 NG911 service within the region or within subregions of the region that are consistent with  
 24.11 technical and operational standards for 911 service adopted pursuant to section 403.382.

24.12 Sec. 21. Minnesota Statutes 2010, section 403.40, subdivision 2, is amended to read:

24.13 Subd. 2. **Topical advisory committees.** The Statewide Radio Board may establish  
 24.14 ~~the following additional advisory committees~~ one or more advisory groups for the  
 24.15 purpose of advising on the plan, design, implementation, and administration of statewide  
 24.16 interoperable public safety communications with representatives from each region of  
 24.17 implementation to advise on, at least, the following topical areas specified for each  
 24.18 committee:

24.19 (1) a committee of users representing all regions where the system backbone has  
 24.20 been implemented to make recommendations on how capital and operating costs of the  
 24.21 system should be apportioned among users, including the cost of additional participants;

24.22 (2) a ~~systems manager~~ committee to make recommendations on performance and  
 24.23 operational standards for the system to the extent that performance and operational  
 24.24 standards impact the operation of the system backbone and interoperability infrastructure;  
 24.25 ~~and~~

24.26 (3) an operations and technical committee to make recommendations on the plan  
 24.27 and operational issues related to the technical aspects of the system backbone and  
 24.28 interoperability infrastructure; and

24.29 (4) in cases where the board has made an election under section 403.382, a 911  
 24.30 operations and technical committee to make recommendations on the 911 service plan  
 24.31 and operational issues related to the technical aspects of the implementation of Next  
 24.32 Generation 911 service throughout the state.

24.33 Sec. 22. **REPEALER.**

24.34 Minnesota Statutes 2010, sections 403.21, subdivision 6; and 403.33, are repealed.