



METROPOLITAN EMERGENCY SERVICES BOARD EXECUTIVE COMMITTEE MEETING AGENDA

December 14, 2022, 10:00 a.m.

1. **Call to Order** – 2022 Board Chair, Commissioner Irene Fernando
2. **Approval of Agenda** – Commissioner Fernando
3. **Approval of October 12, 2022 Executive Committee Minutes (page 3)**
4. **Radio Items** – Tracey Fredrick, Radio Services Coordinator
 - A. Approval of Lease Renewal with Pioneer Public TV for Minnetrista Tower (**page 9**)
5. **9-1-1 Items** – Mike Mihelich, 9-1-1 Manager – None
6. **EMS Items** – Greg Hayes, EMS Coordinator
 - A. Approval of FY23 EMS Sustainability Pilot Project Grant (**page 17**)
7. **Administrative Items** – Jill Rohret, Executive Director
 - A. Discussion: Update on MESB 2023 Legislative Proposal (**page 23**)
 - B. Discussion: Comments on Planned DPS Amendments to MS 403 (**page 25**)
 - C. Discussion: MESB Per Diem Policy (**page 49**)
8. **Old Business** – None
9. **New Business** – None
10. **Adjourn**



METROPOLITAN EMERGENCY SERVICES BOARD EXECUTIVE COMMITTEE MEETING AGENDA

December 14, 2022, 10:00 a.m.

Metropolitan Emergency Services Board Members

Anoka County

Commissioner Mike Gamache*
Commissioner Mandy Meisner

Carver County

Commissioner Gayle Degler* (2022 Treasurer)
Commissioner John Fahey

Chisago County

Commissioner Richard Greene*

City of Minneapolis

Council Member Andrew Johnson*

Dakota County

Commissioner Joe Atkins*
Commissioner Mary Hamann-Roland

Hennepin County

Commissioner Irene Fernando* (2022 Chair)
Commissioner Chris LaTondresse

Isanti County

Commissioner Greg Anderson* (2022 Vice Chair)

Ramsey County

Commissioner Trista Matascastillo* (2022 Secretary)
Commissioner Jim McDonough

Scott County

Commissioner Dave Beer
Commissioner Tom Wolf*

Sherburne County

Commissioner Barbara Burandt*

Washington County

Commissioner Stan Karwoski
Commissioner Fran Miron*

*Denotes Executive Committee member

METROPOLITAN EMERGENCY SERVICES BOARD

EXECUTIVE COMMITTEE MEETING MINUTES

October 12, 2022

Commissioners:

Greg Anderson, Isanti County
Joe Atkins, Dakota County
Barbara Burandt, Sherburne County - **absent**
Gayle Degler, Carver County
Irene Fernando, Hennepin County
Mike Gamache, Anoka County

Rick Greene, Chisago County
Andrew Johnson, City of Minneapolis
Trista Matascastillo, Ramsey County
Fran Miron, Washington County - **absent**
Tom Wolf, Scott County

Staff Present: Tracey Fredrick; Greg Hayes; Jill Rohret; and Martha Ziese.

Guests Present: Jay Arneson, *Board Counsel*; Margaret Vesel, *Larkin Hoffman*.

1. Call to Order:

The meeting was called to order at 10:00 a.m. by MESB Chair Commissioner Irene Fernando.

2. Approval of the October 12, 2022 Agenda

Jill Rohret said there were amendments to the agenda. She requested to add one agenda item under New Business as a new item 9A – Marcia Broman Lifetime Achievement Award, and to change what was originally 9A as 9B – Executive Director Performance Review.:

Motion made by Commissioner Degler, seconded by Commissioner Wolf to approve MESB Executive Committee October 12, 2022 agenda as amended. Motion carried.

3. Approval of the June 8, 2022 Minutes

Motion made by Commissioner Matascastillo, seconded by Commissioner Wolf to approve the MESB Executive Committee June 8, 2022 minutes. Motion carried.

4. Radio Items

A. Approval of City of Edina ARMER Participation Plan Amendment

Tracey Fredrick said the City of Edina requests approval to add two Motorola MCC7500e consoles, which will be primarily used for continuity of operations (COOP) should the Edina PSAP need to be evacuated and could also be used for tactical deployments. The University of Minnesota will host the City's consoles on its firewall and proxy server. The Radio Technical Operations Committee recommends the Executive Committee recommend approval of the amendment to the City of Edina's ARMER participation plan.

Motion by Commissioner Gamache, seconded by Commissioner Wolf to approve the amendment to the City of Edina's ARMER participation plan. Motion carried.

B. Approval of Appointments to SECB LMR Change Management Workgroup

Fredrick said the Radio Technical Operations Committee recommends the Board appoint Dave Theis from the U of M and Peter Sauter from Carver County as technical representatives; the 9-1-1 TOC recommends approval to appoint Scott Haas from Scott County and Jonathan Rasch from Ramsey County as operational representatives to stand as metro representatives to the SECB LMR Change Management workgroup.

Motion by Commissioner Degler, seconded by Commissioner Wolf to approve appointments to SECB LMR Change Management Workgroup. Motion carried.

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C. Approval of Amendments to Appendix C of Metro ARMER Standards

Fredrick said the Radio TOC recommends approval of amendments to Appendix C, the talkgroup permission request form. These amendments include instructions for entities which have been granted permissions to the regional encrypted talkgroups, if devices with those talkgroups have been lost or stolen. This change reflects work that the SECB Encryption Workgroup has been doing.

Motion made by Commissioner Wolf, seconded by Commissioner Degler to approve amendments to Appendix C of Metro ARMER Standards. Motion carried.

D. Approval of Northfield Hospital ARMER Participation Plan

Fredrick said Northfield Hospital requests full ARMER participation. Northfield Hospital is currently a user under Allina Health's plan and the request is to be their own user. Part of this request includes the addition of five new talkgroups and 45 radio IDs.

Motion made by Commissioner Matascastillo, seconded by Commissioner Wolf to approve the Northfield Hospital ARMER Participation Plan. Motion carried.

5. 9-1-1 Items

A. Approval and Acceptance of MESB NG9-1-1 Transition Plan

Rohret said this is the third and final deliverable from the contract with 911 Authority. The timeline for transition in the plan is no longer accurate due to the delay in issuing the RFP for Next Generation Core Services (NGCS).

Commissioner Fernando asked how the video and photo data will be handled with NG9-1-1.

Rohret said that it has not yet determined; she noted that it was likely that when NGCS first goes live the system would not yet accept photos and videos.

Motion made by Councilmember Johnson, seconded by Commissioner Wolf to approve and accept the MESB NG9-1-1 Transition Plan. Motion carried.

B. Approval of Amendment 1 to Blue Peak Consulting Contract

Rohret said when the MESB received its FY22 SECB grant allocation, it included \$150,000.00 for compliance training related to Travis' Law, and \$6,200.00 for PSAP cybersecurity assessments, as well as \$75,000.00 for resiliency training. To date, MESB staff have been unable to find training for compliance with Travis' Law, and the region opted to participate in ECN's cybersecurity assessment.

This contract amendment makes an adjustment to increase the grant funds allocated to resiliency training from \$75,000.00 to \$257,850.00. It is estimated that 90% of the 811 region's 9-1-1 telecommunicators will be trained from these funds by June 2023. Action on this item will be ratified at the November meeting.

Motion made by Commissioner Wolf, seconded by Councilmember Johnson to approve Amendment 1 to Blue Peak Consulting contract. Motion carried.

C. Approval to Issue RFP for CAD-to-CAD Interoperability Project

Rohret said the recommendation from the 2020 civil unrest after action review included the formation of a workgroup to prepare implementation options for a regional workload sharing and situational awareness solution.

METROPOLITAN EMERGENCY SERVICES BOARD

Rohret said the MESB will place a notice in the State Register. All of the PSAPs have expressed interest in being involved in this project. It is possible the MESB could discuss RFP candidates in December but January is a more likely timeline. Action will be ratified at the November meeting.

Motion made by Commissioner Matascastillo, seconded by Commissioner Wolf to approve the issuance of an RFP for the CAD-to-CAD interoperability project. Motion carried.

D. Approval of Amendment 2 to Winbourne Consulting Contract

Rohret said this action will also be ratified at the November meeting. The original Winbourne agreement had a termination date of July 1, 2022. The request is to extend that termination date to December 31, 2022, as there is some work to be completed. This will not change the amount paid to the consultant.

Motion made by Commissioner Greene, seconded by Commissioner Wolf to approve Amendment 2 to the Winbourne Consulting Contract. Motion carried.

E. Award of RFP for GIS Services

Rohret said staff requests that the RFP for NG9-1-1 GIS-Derived Master Street Address Guide (MSAG) Processes be awarded to the sole respondent. Specific pricing is not yet determined. The proposal submitted to the MESB is higher than what was included in the 2023 budget.

Motion made by Commissioner Matascastillo, seconded by Commissioner Degler to approve the award of RFP for GIS Services. Motion carried.

F. Approval of New Appointments to SECB NG9-1-1 Committee

Rohret said 9-1-1 TOC recommends appointing Janelle Harris as the MESB's primary representative and Brent Anderson as the alternate to the SECB NG9-1-1 Committee.

Motion made by Councilmember Johnson, seconded by Commissioner Matascastillo to approve Janelle Harris as primary representative and Brent Anderson as alternate representative to the SECB NG9-1-1 Committee. Motion carried.

6. EMS Items

A. Approval of 2022 Letter of Agreement for Metro Health & Medical Preparedness Coalition

Greg Hayes said the Metro Health & Medical Preparedness Coalition is a group that deals with EMS and hospital-based systems to ensure there is coordination especially for large scale disasters. Approximately every five years the Coalition asks for a new letter of agreement. Hayes said he will provide the MESB with updates.

Motion made by Commissioner Wolf, seconded by Councilmember Johnson to approve the 2022 Letter of Agreement for Metro Health & Medical Preparedness Coalition. Motion carried.

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7. Administrative Items

A. Approval of the 2023 Legislative Agenda

Rohret presented the draft 2023 MESB legislative agenda. She said there were three new items which include SECB governance language, funding 9-8-8 suicide prevention line and using the leftover SECB funds for grant purposes.

Commissioner Matascastillo asked if there was an opportunity to request a metro grant for training or other projects. There is clear need in the metro region.

Commissioner Fernando said that she would like to see the MESB form a united front and take a stronger approach to grant funding.

Vesel said that this would send a clear and strong message that regardless of who wins the election, the MESB has made itself clear what the metro needs are. It is likely the new Chair of the House Public Safety Judiciary Committee will be from the metro. There has not been a big request from the MESB in a while and a united front with strong representation gives the MESB a strong voice.

Commissioner Fernando said she senses this group agrees that broad topics make sense. The direction and approach regardless of who wins the election needs to be unified. We need to move emergency services away from the political win situation. There has been money the metro has been excluded from and we should come up with an approach to fix that. A discussion at the November meeting should include this.

Motion made by Commissioner Wolf, seconded by Commissioner Anderson to approve the 2023 Legislative agenda with the addition of an MESB legislative funding request. Motion carried.

7B. Approval of Legal Services Agreement with Hennepin County

Rohret said a few years ago the MESB approved a revised agreement with Dakota County for employee relations services. During that discussion, board members asked if the MESB had agreements with other entities which provide services. Legal services provided by Hennepin County were not covered by an agreement.

Rohret said MESB Board Counsel drafted the agreement which states what services will be provided by Hennepin County Attorney's Office (HCAO) and what things will not be provided.

Jay Arneson said this agreement documents the status quo. Hennepin County has provided legal services for this board since 2005. Arneson has been the MESB legal counsel since that time. This agreement states what services will be provided by Hennepin County Attorney's Office (HCAO) and what things will not be provided.

Arneson said having a written agreement in place will be helpful for both HCAO and MESB when staff turnover occurs. Britany McCormack will replace Arneson as the MESB Counsel in December 2022 or January 2023.

Motion made by Commissioner Wolf, seconded by Councilmember Johnson to approve Legal Services Agreement with Hennepin County. Motion carried.

8. Old Business

Rohret said a proclamation will be sought for the 40th anniversary of 9-1-1. It is thought that a 50th anniversary celebration take place in 2032.

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9. New Business

A. Marcia Broman Lifetime Achievement Award

Rohret said Marcia Broman, MESB 9-1-1 Data Coordinator, was nominated for this award by Darlene Pankonie of Washington County on behalf of NICE, a logging company.

B. 2022 Executive Director Performance Review – meeting closed

Motion by Councilmember Johnson, seconded by Commissioner Wolf to approve the Executive Director's 2022 performance review with a greatly exceeds standards merit rating with approved merit raise/lump sum as designated by Dakota County's 2022 Merit Compensation Plan. Motion carried.

10. Adjournment

The meeting adjourned at 11:32 a.m.



METROPOLITAN EMERGENCY SERVICES BOARD

Meeting Date:

December 14, 2022

Agenda Item:

**4A. Approval of Amendment 1
to Pioneer Public TV ARMER Lease
at Minnetrista
Fredrick**

Presenter:

RECOMMENDATION

Staff recommend the Executive Committee approve and authorize the Chair to execute Amendment 1 to the ARMER Site Lease with Pioneer Public TV for an ARMER site in Minnetrista.

BACKGROUND

The Metropolitan Radio Board entered into a lease agreement with Pioneer Public TV for an ARMER tower site Minnetrista in May 1999. The term of the lease was ten years at \$1,574.00 per month. The original agreement included one option for the right to renew the lease for an additional ten years. The MESB executed that renewal option in April 2009. Rent remained \$1,574.00 from 2009 – 2019.

Beginning in the fall of 2018, staff contacted Pioneer Public TV to renew the lease, but it was not until late 2022 before this occurred. Over the last four years, Pioneer Public TV has continued to invoice the MESB \$1,574.00 per month for rent; the MESB has continued to pay this invoice.

ISSUES & CONCERNS

Amendment 1 extends the contract termination date from December 1, 2022 to November 30, 2032, and increases the rent to \$2,220.60 per month, and includes an annual three percent escalator clause.

MESB counsel reviewed various drafts of this lease amendment and does not have any concerns with this final version.

Note: Exhibit C to the lease is not fully updated at this time. MESB engaged Diamond Tower Services to do antenna mapping at this site in order to make Exhibit C truly accurate. This work will begin on December 8, 2022.

FINANCIAL IMPACT

None to the MESB because this rent is a pass-through cost to ARMER system owners. The

MOTION BY:

SECONDED BY:

MOTION:

PASS/FAIL



METROPOLITAN EMERGENCY SERVICES BOARD

Meeting Date:

December 14, 2022

Agenda Item:

**4A. Approval of Amendment 1
to Pioneer Public TV ARMER Lease
at Minnetrista**

Presenter:

Fredrick

lease increase was not included in the 2023 budget, but will be included in MESB 2024 ARMER cost projections.

MOTION BY:
SECONDED BY:
MOTION:

PASS/FAIL

**AMENDMENT NO. 1 TO
LEASE NO.10922
FOR LEASE OF SPACE FOR THE
PUBLIC SAFETY RADIO COMMUNICATION SYSTEM**

THIS AMENDMENT NO. 1 TO LEASE AGREEMENT ("Amendment No. 1"), is made by and between West Central Minnesota Educational Television Company, Inc., doing business as Pioneer PBS ("PIONEER" or "LESSOR"), 1 Pioneer Drive, Granite Falls, MN 56241, and the Metropolitan Emergency Services Board, successor to the Metropolitan Radio Board, 2099 University Avenue West, St. Paul, Minnesota, 55104 ("BOARD") and the State of Minnesota, Department of Transportation, Office of Statewide Radio Communications, 1500 W. County Road B2, Roseville, Minnesota 55113 ("MnDOT" together with the BOARD referred to as "LESSEE").

The preamble stated on page 1 of the Lease (as hereinafter defined) shall be amended to read:

WHEREAS, PIONEER entered into a Lease Agreement with the State of Minnesota, Department of Administration, acting for the benefit of MnDOT and the Metropolitan Radio Board ("MRB") dated May 1, 1999 (the "Lease"), and the ten-year renewal option was exercised in a letter dated November 3, 2008; and

WHEREAS, the Metropolitan Emergency Services Board is the successor entity to the MRB and has been assigned all of the MRB's rights and responsibilities under the Lease; and

WHEREAS, LESSEE operates a region-wide public safety radio system communication plan as set forth in Minnesota Statutes §473.891 to §473.905; and

WHEREAS, LESSEE is empowered by Minnesota Statute §16B.24, Subd. 6 to lease non-state owned property; and

WHEREAS, it is the desire of LESSEE AND LESSOR to amend the Lease; and

NOW THEREFORE, in consideration of the mutual undertakings hereinafter set forth, the parties agree to amend the Lease as stated above and as follows:

1. Section 2.2 shall be amended to read:

2.2 Priority of Use. LESSEE'S use of the Leased Premises shall be subordinate to LESSOR'S use. LESSOR shall have the specific right to add microwave dishes to the Leased Premises so long as such equipment does not interfere with LESSEE'S operation of its antenna facilities.

2. Section 2.3(b) shall be amended to read:

2.3 b. If LESSEE decides to add microwave dishes to the Monopole, as permitted under Section 2.2(a), at LESSOR'S sole discretion, LESSOR may require a written structural analysis by a professional engineer competent to perform such analysis, of the impact, if

any, that LESSEE'S antenna(s) have or may have on LESSOR'S Tower. The cost of providing said structural analysis shall be paid for by LESSEE. If such structural analysis fails, LESSEE shall choose either to not add the microwave dishes or to modify the tower at its cost such that the structural analysis passes.

2. **Section 3 shall be amended to read:**

3.1 The term of this Agreement shall commence on December 1, 2022, and continue through November 30, 2032 ("Term").

3. **Section 4.1 shall be amended to read:**

4.1 Commencing December 1, 2022, LESSEE agrees to pay LESSOR rent in the amount of Two Thousand Two Hundred and Twenty and 60/100 Dollars (\$2,220.60) per month on the 1st of each and every month through November 30, 2023. Commencing on December 1, 2023 and continuing on every December 1st throughout the Term, LESSEE shall increase the amount of monthly rent paid by 3% from the amount paid the year prior and shall pay such amount on the 1st of each and every month in such amount throughout the Term.

4. **Section 5 shall be removed.**

5. **Section 6 shall be amended to read:**

This Agreement may be terminated by either party for any reason upon giving the other party one hundred (180) days' written notice.

6. **Section 7 shall be removed.**

7. **Sections 8.3(b) and 8.3(d) shall be amended to read:**

b. Interference with Other Users. In the event that LESSEE'S existing antenna facilities cause impermissible interference, determined solely by LESSOR, with any user located on LESSOR'S Monopole and/or Building prior to May 1, 1999, or with preexisting lessees entered into prior to May 1, 1999, LESSEE shall take all measures necessary to correct and eliminate the interference. If the interference cannot be eliminated within 48 hours after receiving LESSOR'S written notice of interference, LESSEE shall immediately cease operating its antenna facilities and shall not reactivate operation, except intermittent operation for the purpose of testing, until the interference has been eliminated. In the event that the interference cannot be eliminated within 30 days of LESSEE'S receipt of LESSOR'S written notice of interference, LESSOR may, at LESSOR'S sole option, immediately terminate this Lease Agreement, or seek injunctive relief from LESSEE. This paragraph shall apply to all preexisting lessees entered into prior to this Amendment No. 1 if the interference is the result of new equipment added by LESSEE after the date of this Amendment No. 1.

d. Interference, New Occupants. LESSOR shall not grant a future lease to any party if such party's use is reasonably anticipated to interfere with LESSEE'S operation of its antenna facilities. LESSOR shall include language in any lease with a new occupant which

prohibits interference with LESSEE'S operation of its antenna facilities. If LESSEE experiences impermissible interference, it shall notify LESSOR of such interference in writing. If such interference is not eliminated within 30 days of LESSOR'S receipt of written notice of such interference by LESSEE, LESSEE may, at LESSEE'S sole option, immediately terminate this Lease Agreement, or seek injunctive relief from the other party, at LESSEE'S expense.

8. **Section 9 shall be amended to read:**

Any equipment or fixtures installed by LESSEE attached to the Leased Premises by LESSEE, shall remain the property of LESSEE; however, LESSEE shall remove any equipment or fixtures no longer in use within a reasonable time after they are no longer used or upon written notice to remove such equipment or fixtures by LESSOR. Specifically, LESSEE shall remove any and all unused fixtures and equipment no longer in use by LESSEE within one hundred eighty (180) days of the commencement of this Amendment No. 1. LESSEE shall have the right to remove its equipment and fixtures at the expiration or termination of this Agreement so long as it repairs any damage caused by its removal.

9. **Section 13 shall be amended to read:**

DEFAULT. If either party shall default in the performance of any of the terms or provisions of this Lease Agreement, the non-breaching party shall promptly so notify the other party in writing. If the alleged breaching party shall fail to cure such default within thirty (30) days after receipt of such notice, or if the default is of such character as to require more than thirty (30) days to cure, and the alleged breaching party shall fail to commence to do so within thirty (30) days after receipt of such notice and thereafter diligently proceed to cure such default, then in either event, the non-breaching party may cure such default and any reasonable and actual expenses paid by the non-breaching party shall be paid by the alleged breaching party to the non-breaching party within ten (10) days after statement therefore is rendered. The non-breaching party may also terminate this Lease Agreement upon such expiration of the thirty (30) day period if the other party has failed to cure.

10. **Section 14 shall be removed.**

11. **Section 15 of the Agreement shall be amended to replace the contact information in that section with the following:**

STATE: State of Minnesota
Department of Transportation
Office of Statewide Radio Communications
1500 West County Road B2
Roseville, Minnesota 55113

BOARD: Metropolitan Emergency Services Board
Attn: Radio Services Coordinator
2099 University Avenue West
St. Paul, Minnesota 55104

LESSOR: West Central Minnesota Educational Television Company, Inc.,
d/b/a Pioneer PBS
1 Pioneer Drive
Granite Falls, MN 56241

12. **Section 21 shall be amended to read:**

SUBLEASING

LESSEE may sublet a portion of the Leased Premises without LESSOR'S consent if such subleasee participates in the statewide public safety radio system communication plan as set forth in Minnesota Statutes §403.36, so long as no new equipment is added to the Leased Premises. If such sublease would require new equipment be added to the Leased Premises, LESSEE must obtain LESSOR'S prior written approval of such additional equipment, which it may grant or decline in its sole discretion. Further, LESSOR reserves the right to increase rent if additional equipment is approved by LESSOR. No subletting (or use or occupation of the Leased Premises to any other person which is permitted under this Section) in any way releases or relieves LESSEE of its obligations under this Lease Agreement. Any subleasee is bound by the terms of this Lease Agreement, and any amendment thereto.

13. **Exhibit C is amended and modified as attached.**

This Amendment No. 1 shall be effective as of December 1, 2022.

Except as hereinabove amended, the terms, conditions and provisions of the Lease Agreement shall remain in full force and effect.

**METROPOLITAN EMERGENCY
SERVICES BOARD**

**WEST CENTRAL MINNESOTA
EDUCATIONAL TELEVISION
COMPANY, INC.**

By: _____
Board Chair

By: _____
General Manager

Dated: _____

Dated: _____

Approved as to Form:

By: _____
MESB Counsel

Dated: _____

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

By: _____
Director, Statewide Radio Communications

Dated: _____

Approved:
DEPARTMENT OF TRANSPORTATION
ACKNOWLEDGEMENT OF ENCUMBRANCE

By: _____
Title

Date: _____

CAATS No. _____

Approved:
DEPARTMENT OF TRANSPORTATION
CONTRACT MANAGEMENT

By: _____
Title

Date: _____



METROPOLITAN EMERGENCY SERVICES BOARD

Meeting Date:

December 14, 2022

Agenda Item:

**6A. Approval of EMSRB Sustainability
Pilot Project Grant**

Presenter:

Hayes

RECOMMENDATION

Staff recommend the Executive Committee approve and accept the Emergency Medical Services Regulatory Board (EMSRB) EMS Sustainability grant in the amount of \$12,000.00.

BACKGROUND

The MESB's EMS activities are funded through grants from the EMSRB, primarily the EMS Support Grant and funds received via seatbelt fines.

In 2021 and 2022, the EMSRB was subject to an Office of Legislative Auditor (OLA) audit. One of the OLA findings was that the EMSRB needed to do more to sustain EMS operations, including recruitment and retention of Paramedics and emergency medical technicians (EMTs).

ISSUES & CONCERNS

In late November, the MESB learned that the EMSRB would be creating a new grant pilot program focused on sustainability efforts which was in response to the OLA finding. In announcing this new grant, the EMSRB stated:

Emergency medical services (EMS) is an inherently local operation, with no one local operation identical to another. However, the ending goal of providing the best possible pre-hospital care to the patients the system serves and preserving the life of Minnesotans is universal. As a result of this inherently local design, Minnesota EMS is broken into eight separate geographical regions as identified in M.S. 144E.50. EMS sustainability is a statewide problem as identified by the OLA report. However, many solutions may not be universal. As a result, it is the intent of the EMSRB to award each of the eight (8) regional EMS systems \$12,000 to fund EMS sustainability initiatives in their respective regions. The total EMSRB investment for this program will not exceed \$96,000.

Funding will be provided by way of a grant from the Emergency Medical Services Regulatory Board under its authority outlined in M.S. 144E.05 Subdivision 2. All funding must be encumbered or expended by June 30, 2023.

Because this grant was just announced, regions have not had the opportunity to fully develop plans to use these grant funds, particularly within such a short timeframe. Over the next weeks,

MOTION BY:

SECONDED BY:

MOTION:

PASS/FAIL



METROPOLITAN EMERGENCY SERVICES BOARD

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Agenda Item:

**6A. Approval of EMSRB Sustainability
Pilot Project Grant**

Presenter:

Hayes

MESB staff will develop a plan to utilize these funds either within the region, or possibly in conjunction with other EMS regions on a larger statewide project.

FINANCIAL IMPACT

None to the MESB; this is new funding.

MOTION BY:
SECONDED BY:
MOTION:

PASS/FAIL

2022-2023 Pilot EMS Sustainability Grants

Version: 1.00
Effective Date: 11/04/2022

Program Purpose

There are a variety of different challenges that emergency medical services face across the United States and within the State of Minnesota. A challenging health care reimbursement environment with antiquated fee for service payment models, and a lack of funding for the cost of having an ambulance available 24/7 has set the nation's EMS system on a collision course with unsustainability given the current inflationary pressures and workforce challenges.

In its 2022 report the Office of the Legislative Auditor highlighted the need to pilot different initiatives in an effort to test programs before implementing broad scale adoption. These EMS Sustainability Grants are one step of the EMSRB's strategy to work to ensure sustainability of our state's EMS system for years to come. While these grants alone will be woefully insufficient to the overall need for sustainability, it is a step in a direction to validate that additional funding is needed from the Minnesota Legislature for this important work.

Scope of Program

Emergency medical services (EMS) is an inherently local operation, with no one local operation identical to another. However, the ending goal of providing the best possible pre-hospital care to the patients the system serves and preserving the life of Minnesotans is universal. As a result of this inherently local design, Minnesota EMS is broken into eight separate geographical regions as identified in M.S. 144E.50.

EMS sustainability is a statewide problem as identified by the OLA report. However, many solutions may not be universal. As a result, it is the intent of the EMSRB to award each of the eight (8) regional EMS systems **\$12,000** to fund EMS sustainability initiatives in their respective regions. The total EMSRB investment for this program will not exceed \$96,000. Funding will be provided by way of a grant from the Emergency Medical Services Regulatory Board under its authority outlined in M.S. 144E.05 Subdivision 2. **All funding must be encumbered or expended by June 30, 2023.**

Approved Programmatic Categories

Listed below are broad categories that EMS regions may undertake directly or provide by way of reimbursement to EMS services in their regions. Examples are provided as potential tasks but **should not be considered a limiting list.**

Administrative Expenses

Regional EMS Systems may utilize up to 15% of awarded funds for administrative expenses needed to operate the program. This 15% may be utilized in a manner consistent with the provisions of M.S 144E.50

Recruitment of Personnel

EMS has seen the number of individuals becoming certified for the first time in a calendar year fall by nearly half since 2019. Programming that is driven towards recruiting additional personnel to serve in the state's EMS system shall be approved.

Potential Tasks

- Development of regional or service specific recruitment plans
- Payment for EMS initial education not otherwise covered by other EMSRB funding mechanisms
 - Initial EMR education can be funded if the individual is affiliated with either a licensed ambulance service or registered medical response unit (MRU)
 - Including examination cost (up to 3 attempts) for any provider affiliated with a licensed ambulance service or medical response unit.
- Development and dissemination of advertising related to recruiting individuals to EMS
 - Includes video production, radio advertisement, social media, etc.
- Door to door personnel drives for the purposes of recruiting personnel
- Covering the actual cost of an initial education course held in a rural area, where there is insufficient student enrollment to make hosting a course economically viable
- Training related to recruitment techniques
- Costs incurred for holding public outreach events to recruit personnel within the community, including presentations to schools.

Retention of EMS Personnel

The EMSRB has conducted research into the influencers of retention in Minnesota EMS and found that nearly 45% of EMT certification expirations are under the age of 30 years old, and nearly 65% of EMT certification expirations are under the age of 40 years old. It is vital to focus on retention of EMS providers here in Minnesota and to keep people engaged in the system. Programming that is driven towards retaining existing personnel to serve in the state's EMS system shall be approved.

Potential Tasks

- Funding can be utilized to pay retention bonuses to personnel that have worked for an EMS service longer than a year (365 days).
 - No individual EMS provider should receive more than \$500
- Funding for other types of incentive-based awards (gift cards, service branded clothing, etc.)
 - No individual EMS provider should receive incentive-based awards exceeding fair market value of \$500.
- Funding for EMS services to send personnel to EMS leadership training courses.

- Funding for initial EMS education courses not otherwise covered by other EMSRB funding mechanisms, to allow existing EMS personnel to upgrade their certification (i.e., paramedic scholarships)
- EMS appreciation events that acknowledge the service of EMS providers
- Funding for mental health resources including but not limited to peer support, critical incident stress management, etc.
- Funding for continuing education courses not otherwise covered by other EMSRB funding mechanisms to allow existing providers to remain in the EMS system.
 - EMR refreshers can be funded if the individual is affiliated with a licensed ambulance service or registered Medical Response Unit (MRU)
 - Paramedic refreshers
- The purchase or development or both of online and hybrid-based education to provide additional opportunities for individuals to be able to renew their certification.
- Training related to retention techniques.
- Funding to pilot day care programs for children of EMS providers.

System Sustainability

EMS sustainability is a nationwide problem as identified by the OLA report. However, many solutions may not be universal. Potential tasks below have been compiled from industry asks, EMSRB research, and projects that have been proposed or undertaken by other states.

Potential Tasks

- Funding to pilot alternative staffing and response models
 - Funding to pilot the addition of paid or paid on call providers to a service relying on a volunteer or combination model.
 - Regional mutual aid/ALS intercepts
- Costs associated with investigating a potential collaboration, coordination, or consolidation of services. These costs could include, but are not limited to, consulting fees, studies, legal fees, and statistical analysis.
- Costs associated with an actual merger or consolidation of services.
- Costs incurred by EMS services implementing recommendations from a prior EMSRB rural sustainability survey.
- Specific costs incurred by a service working towards MRU registration
 - Agency Medical Direction
 - Purchase or Upgrade of an Automated External Defibrillator
- Financial incentives to organizations who become registered Medical Response Units with the EMSRB. (Not to exceed \$400 per organization)
- Funding for cooperative contracting or agreements for medical direction
- Development or expansion of community paramedic or community EMT programs
- Financial incentive or recognition programs to employers that allow individuals to leave work to respond to EMS calls.
- Funding to pilot financial support for non-transport first response to Medical Response Units registered with the Emergency Medical Services Regulatory Board.

Evaluation Required

All individual programs that are implemented by the regional system must identify to the EMSRB prior to implementation how they intend to measure the impact of the implemented program. The results of those metrics must be provided to the EMSRB by September 30, 2023.

Documentation Required

EMS regions should maintain detailed documentation and follow accepted accounting procedures. With the pilot nature of these grants, all grants awarded under this program will have a desk audit performed under the procedures established in OGM Policy 08-10.



METROPOLITAN EMERGENCY SERVICES BOARD

Meeting Date:

December 14, 2022

Agenda Item:

**7A. Discussion: MESB Legislative
Proposal for 2023 Session**

Presenter:

Rohret

RECOMMENDATION

None – this is a discussion item.

BACKGROUND

At its October 2022 meeting, the MESB Executive Committee discussed introducing a legislative proposal during the 2023 legislative session.

Staff presented the Board with a preliminary proposal at its November 2022 meeting.

ISSUES & CONCERNS

Staff continue to refine what was presented to the Board at its November 2022 meeting. Those revisions continue and will be provided to the Executive Committee at its December meeting.

FINANCIAL IMPACT

Depending upon what action the legislature may take, the MESB may receive funding for some projects.

MOTION BY:

SECONDED BY:

MOTION:

PASS/FAIL



METROPOLITAN EMERGENCY SERVICES BOARD

Meeting Date:

December 14, 2022

Agenda Item:

**7B. Discussion: DPS Amendments
to Minnesota Statutes Chapter 403**

Presenter:

Rohret

RECOMMENDATION

None – this is a discussion item. The Statewide Emergency Communications Board's Legislative Committee seeks feedback on four additional proposed changes to Minnesota Statutes Chapter 403.

BACKGROUND

Minnesota Statutes Chapter 403 governs 9-1-1 and ARMER. The 9-1-1 portion of the chapter have not been updated in many years; the statute is outdated from today's standards and desperately need an update as 9-1-1 transitions to NG9-1-1. From 2016 – 2018 staff worked closely with the Minnesota Department of Public Safety – Emergency Communication Networks Division (ECN) to update statute in a way that satisfied government needs and telephone carrier needs. Nothing was ever passed.

Most of what is being proposed as amendments to MS 403 in the 2023 legislative session was included in DPS' 2022 bill. The 2022 bill was heard in the House Public Safety Committee, but did not make it out of committee due to concerns from the Minnesota telecommunications industry.

ISSUES & CONCERNS

DPS is proposing four additional amendments to MS 403's 9-1-1 language.

The first amendment is to include a definition of cost recovery, which is reimbursement telecommunications companies can receive for providing its customers access to the 9-1-1 network.

The second amendment is to include a definition of end user equipment, which is equipment used by first responders to receive and provide voice and data communications. Note, this does not include equipment used in the PSAP.

The third amendment is in 403.11 and is intended to further define the purpose of the 9-1-1 fee and the purpose of cost recovery for telecommunications companies.

The final amendment is to add two additional costs for which PSAPs may not use the 9-1-1 fee revenues. The two prohibited uses are for salaries and the purchase of end user equipment.

MOTION BY:

SECONDED BY:

MOTION:

PASS/FAIL



METROPOLITAN EMERGENCY SERVICES BOARD

Meeting Date:

December 14, 2022

Agenda Item:

**7B. Discussion: DPS Amendments
to Minnesota Statutes Chapter 403**

Presenter:

Rohret

FINANCIAL IMPACT

None to the MESB.

MOTION BY:
SECONDED BY:
MOTION:

PASS/FAIL

From: [Tait, Steven \(DPS\)](#)
To: [Indrelie Judy](#); [Dave Pike](#); [dkenworthy0821@gmail.com](#); [Tim Mohr](#); [Brenda Olmscheid](#); [Joseph Flavin](#); [Kip Bruender](#); [ericwallen](#); [Bill Flaten](#) ([bill.flaten@co.ym.mn.gov](#)); [Randy Willis](#); [Les Nath](#); [ron.antony](#) ([ron.antony@co.ym.mn.gov](#)); [Micah Myers](#); [Shari Gieseke](#); [Jeffrey Jelinski](#); [dolson@penningtonsheriff.org](#); [Dylan Bridges](#); [Jill Rohret](#); [Sarah Wilcox - NW](#); [OlsonH@StLouisCountyMN.gov](#); [blawrence@co.pennington.mn.us](#); [marv.bodie@co.carlton.mn.us](#); [Chatleain, Shane \(DOT\)](#); [Rosemount Mayor](#); [Jim Duckstad](#); [Marcia Ward](#); [Kullot, Don](#); [steve.schmitt@co.meeker.mn.us](#); [brian.smith@co.kanabec.mn.us](#); [David.Ebinger@co.clay.mn.us](#); [vosbergg@centracare.com](#); [buck.mcalpin@northmemorial.com](#); [Joe.perske@co.stearns.mn.us](#); [Joe.atkins@co.dakota.mn.us](#); [Klema, David W \(DOT\)](#); [Brad Milbrath](#)
Cc: [Wahlberg, Dana \(DPS\)](#); [Stroud, Sandi \(DPS\)](#); [Clark, Cathy \(DPS\)](#); [Nimlos, Aleta \(DPS\)](#); [Wilkening, Kent \(DPS\)](#)
Subject: SECB Legislative Committee Action Item: Feedback on Proposed MSS 403 Revisions (Technical and 911 Fee Usage)
Date: Thursday, November 3, 2022 11:25:37 AM
Attachments: [image001.png](#)
[image003.png](#)
[Request for Committee Action - Proposed MSS 403 Revisions \(Technical\).pdf](#)

At their 11.03.22 meeting, the SECB Legislative Committee discussed the MSS 403 technical and 911 fee usage language revisions proposed by DPS-ECN and the SECB MSS 403 (Technical) workgroup. This discussion resulted in the following action item:

The SECB Legislative Committee requests that each representative on this committee solicit feedback from their respective region/organization regarding the highlighted portions of the proposed MSS Chapter 403 revisions (Technical).

This feedback should be reported back to the committee at the December 1, 2022 meeting.

The attached document provides background information on the workgroup's activity as well as the complete text of the proposed MSS 403 language changes (technical and 911 fee usage) that DPS-ECN has submitted to the Commissioner for review.

It is important to note that this round of feedback should be focused on the 4 highlighted sections in the document (feedback regarding the other proposed changes was solicited prior to the 2022 legislative session).

It is understood that, due to meeting cadence and scheduling, it may be difficult for some regions/organizations to offer feedback by December 1st. If that is the case, please consult with your SECB Legislative Committee representative ([MEMBER ROSTER - SECB LEGISLATIVE COMMITTEE](#)) to ensure that your concerns are addressed.

Take care,

Steve Tait | Regional Interoperability Coordinator
Emergency Communication Networks | Minnesota Department of Public Safety
[ecn.dps.mn.gov](#) | 612-221-6636 Cell

[Follow DPS](#)

Request for Committee Action

Date:	November 3, 2022
Committee:	Legislative
Topic:	Proposed MSS Chapter 403 Revisions (Technical)

Background / Considerations:

- Minnesota State Statutes Chapter 403 defines the roles and responsibilities associated with the technical aspects of the 911 system. The language in this statute was last updated in 2013.
- In 2021, the SECB Legislative Committee established a workgroup to develop proposed Chapter 403 statute language (Technical) to reflect the transition of the 911 system from a legacy to a Next Generation environment. The workgroup was also tasked with updating the section of the statute that addressed allowable uses of 911 funds to bring it into compliance with newly released FCC requirements.
- The workgroup completed its assigned tasks and DPS submitted proposed Chapter 403 statute language (Technical) to the legislature for consideration in the current legislative session.
- Unfortunately, the proposed changes to the Chapter 403 statute language (Technical) were not advanced in the legislative process and will need to be reintroduced in the 2023 legislative session.
- In May 2022, the SECB Legislative Committee directed the workgroup to continue its efforts to develop proposed Chapter 403 statute language (Technical) and present its recommendations back to the committee prior to the 2023 legislative session.
- The workgroup has completed its assigned tasks and the revised statute language proposed by the workgroup is included on pages 2-21 of this document. The highlighted text indicates recently developed proposed language.

Proposed Motion:

The SECB Legislative Committee requests that each representative on this committee solicit feedback from their respective region/organization regarding the highlighted portions of the proposed MSS Chapter 403 revisions (Technical).

This feedback should be reported back to the committee at the December 1, 2022 meeting.

Alignment with 2022-2024 Minnesota SCIP Goals

This initiative aligns with the following SECB Legislative Committee goals outlined in the 2022-2024 Minnesota Statewide Communications Interoperability Plan (SCIP):

- Recommend revisions to MSS Chapter 403 language to ensure that it remains relevant with regard to governance, emerging technologies, and other factors.
 - Maintain the 403 statute workgroup.
 - Identify the need for 403 statute revisions.
 - As necessary, propose updates to the MSS Chapter 403 language.

403.02 DEFINITIONS.

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

Subd. 7. **Automatic location identification.** "Automatic location identification" means the process of electronically identifying and displaying ~~the name of the subscriber and the location~~, where available, ~~of the calling telephone number~~ the name of the subscriber, the communications device's current location, and the callback number to a ~~person~~ public safety telecommunicator answering a 911 emergency call.

Subd. 9a. **Callback number.** "Callback number" means a telephone number or functionally equivalent Internet address or device identification number used by the public safety answering point to ~~recontact~~ contact the location device from which the 911 call was placed.

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

Subd. 10a Cost Recovery. Costs incurred by commissioner-approved originating service providers specifically for the purpose providing access to the 911 network for their subscribers or maintenance of 911 customer databases. These costs may be reimbursed to the requesting originating service provider. Recoverable costs include only those costs that the requesting provider would avoid if the provider were not providing access to the 911 network or maintenance of 911 customer databases.

Subd. 10b. **Cybersecurity.** "Cybersecurity" means the prevention of damage to, unauthorized use of, exploitation of, and, if needed, the restoration of, electronic information and communications systems and services and the information contained therein to ensure confidentiality, integrity, and availability.

Subd. 10c. **Emergency Communications Network Service Provider (ECNSP).** "Emergency Communications Network Service Provider" or "ECNSP" means a service provider, determined by the commissioner to be capable of providing effective and efficient components of the 911 network or its management that provides or manages all or portions of the statewide 911 emergency communications network. The ECNSP is the entity or entities that the state contracts with to provide facilities and services associated with operating and maintaining the Minnesota statewide 911 network.

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

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

Subd. 11c. **Emergency services.** "Emergency services" includes but is not limited to firefighting, police, ambulance, medical, or other mobile services dispatched, monitored, or controlled by a public safety answering point.

Subd. 11d. **Emergency Services Internet (ESInet).** "Emergency Services Internet" or "ESInet" means

an Internet protocol-based and multipurpose network supporting local, regional, and national public safety communications services in addition to 911 services. The ESInet is comprised of three network components, including ingress network, next generation core services, and egress network.

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

Subd. NEW End User Equipment End user equipment is any device held or operated by an employee of a public safety agency, except for public safety telecommunicators, for the purpose of receiving voice or data communications outside of a public safety answering point. This includes, but it not limited to, mobile radios, portable radios, pagers, mobile computers, tablets, and cellular telephones.

Subd. 13a. Geographical Information System (GIS). "Geographical Information System" or "GIS" means a system for capturing, storing, displaying, analyzing, and managing data and associated attributes that are spatially referenced.

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

Subd. 14a. Internet protocol (IP). "Internet protocol" or "IP" means the method by which data are sent from one computer to another on the Internet or other networks.

Subd. 16. Metropolitan area. "Metropolitan area" means the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, and Washington.

Subd. 16a. Multiline telephone system (MLTS). "Multiline telephone system" or "MLTS" means a ~~private telephone~~ system comprised of common control units, ~~telephones, telephone sets;~~ and control hardware and, software ~~that share a common interface to the public switched telephone network, and adjunct systems used to support the capabilities outlined in this chapter.~~ This includes network and premises-based systems such as Centrex, VoIP, PBX, Hybrid, and Key Telephone Systems, as classified by the Federal Communications Commission requirements under Code of Federal Regulations, title 47, part 68, and systems owned or leased by governmental agencies and, nonprofit entities, as well as and for-profit businesses.

Subd. 16b. Next generation core services (NGCS). "Next generation core services" or "NGCS" means the base set of services needed to process a 911 call on an ESInet. These services include, but are not limited to, the Emergency Services Routing Proxy, Emergency Call Routing Function, Location Validation Function, Border Control Function, Bridge, Policy Store, Logging Services, and typical IP services such as DNS and DHCP. Next generation core services includes only the services and not the network on which they operate.

Subd. 16c. Next generation 911 (NG911). "Next generation 911" or "NG911" means an Internet protocol-based system comprised of managed Emergency Services IP networks, functional elements and applications, and databases that replicate the traditional E911 features and functions and that also provides additional capabilities based on industry standards. NG911 is designed to provide access to emergency services from all connected communications services and provide multimedia data capabilities

for public safety answering points and other emergency services organizations.

Subd. 16d. **911 call.** "911 call" means any form of communication requesting any type of emergency services by contacting a public safety answering point, including voice or nonvoice communications, as well as transmission of any analog or digital data. 911 call includes a voice call, video call, text message, or data-only call.

Subd. 16e. **911 network.** "911 network" means:

(1) a legacy telecommunications network that supports basic and enhanced 911 service;

or

(2) the ESInet that is used for 911 calls that can be shared by all public safety answering points and that provides the IP transport infrastructure upon which independent public safety application platforms and core functional processes can be deployed, including but not limited to those necessary for providing next generation 911 service capability.

A network may be constructed from a mix of dedicated and shared facilities and may be interconnected at local, regional, state, national, and international levels.

Subd. 16f. **911 system.** "911 system" means a coordinated system of technologies, networks, hardware, and software applications that a public safety answering point must procure and maintain in order to connect to the state 911 network and provide 911 services.

Subd. 16g. **Originating service provider (OSP).** "Originating service provider" or "OSP" means an entity that provides the capability for customers to originate 911 calls to public safety answering points, including wire-line communications service providers, Voiceover Internet Protocol service providers, and wireless communications service providers.

Subd. 17. **911 service.** "911 service" means a telecommunications service that automatically connects a person dialing the digits 911 to an established public safety answering point. 911 service includes:

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

(2) common 911 network and database equipment, as appropriate, for automatically selectively routing 911 calls to the public safety answering point serving the caller's jurisdiction; and

(3) provision of automatic location identification if the public safety answering point has the capability of providing that service; the emergency response service a public safety answering point provides as a result of processing 911 calls through its 911 system.

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

Subd. 17b. **Prepaid wireless telecommunications service.** "Prepaid wireless telecommunications service" means a wireless telecommunications service that allows the caller to dial 911 to access the 911 ~~system~~ network, which service must be paid for in advance and is:

- (1) Sold in predetermined units or dollars of which the number declines with use in a known amount; or
- (2) Provides unlimited use for a predetermined time period.

The inclusion of non-telecommunications services, including the download of digital products delivered electronically, content, and ancillary services, with a prepaid wireless telecommunications service does not preclude that service from being considered a prepaid wireless telecommunications service under this chapter.

Subd. 17c. **911 Public safety telecommunicator.** "911 Public safety telecommunicator" means a person employed by a public safety answering point, an emergency medical dispatch service provider, or both, who is qualified to answer incoming emergency telephone calls, text messages, and computer notifications or provide for the appropriate emergency response either directly or through communication with the appropriate public safety answering point.

Subd. 17d. **Point of interconnection (POI).** "Point of interconnection" or "POI" means the location or locations within the 911 network where OSPs deliver 911 calls on behalf of their users or subscribers for delivery to the appropriate public service answering point.

Subd. 18. **Public safety agency.** "Public safety agency" means ~~a functional division of a public agency which provides firefighting, police, medical, or other emergency services, or a private entity which provides emergency medical or ambulance services~~ an agency that provides emergency services to the public.

Subd. 19. **Public safety answering point.** "Public safety answering point" or "PSAP" means a governmental agency operating a 24-hour communications facility ~~operated on a 24-hour basis which that first receives 911 and other emergency calls from persons in a 911 service area and which may, as appropriate, central station notifications, text messages, and computer notifications and directly dispatch public safety dispatches emergency response services or extend, transfer, or relay 911 calls~~ relays communications to appropriate public safety agencies according to a specific operational policy.

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

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

Subd. 19c. **Public Utilities Commission (PUC).** "Public Utilities Commission" or "PUC" means the

Minnesota state commission defined in section 216A.03.

Subd. 19d. **Regional board.** "Regional board" means one of the seven emergency services and emergency communications boards in this state.

Subd. 19e. **Service user.** "Service user" means any person who initiates a 911 call to receive emergency services.

Subd. 19f. **Voice over Internet Protocol (VoIP) service provider.** "Voice over Internet Protocol service provider" or "VoIP service provider" means an entity that provides distinct packetized voice information in a digital format using the Internet protocol directly or through a third party, marketed or sold as either a telephone service or an information service interconnected with the PSTN, including both facilities-based service providers and resellers of such services.

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

Subd. 20a. **Wireless telecommunications communications service.** "Wireless telecommunications communications service" means a commercial mobile radio service, as that term is defined in United States Code, title 47, section 332, subsection (d), including all broadband personal communication services, wireless radio telephone services, and geographic area specialized mobile radio licensees, that offer real-time, two-way voice service interconnected with the public switched telephone network.

Subd. 21. **Wireless telecommunications communications service provider.** "Wireless telecommunications communications service provider" means a provider of wireless telecommunications communications service.

403.025 911 EMERGENCY TELECOMMUNICATIONS COMMUNICATIONS SYSTEM AND SERVICES REQUIRED.

Subdivision 1. **General requirement.** Each county shall operate and maintain a 911 emergency telecommunications system.

Subd. 1a. **Emergency telephone number 911.** The digits 911, so designated by the Federal Communications Commission, must be the primary emergency telephone number within the system 911 network. A public safety agency may maintain a separate secondary backup number for emergency calls and shall must maintain a separate number for nonemergency telephone calls.

Subd. 1b. **State requirements.** The commissioner must establish, maintain, and make available to all counties a statewide interoperable ESInet backbone 911 network that ensures interoperability between all public safety answering points connected to the network and meets the requirements of counties operating 911 systems that have an approved update to their 911 plans.

Subd. 1c. **Contractual requirements.** (a) The commissioner must contract with one or more ECNSPs to deliver the 911 network. (b) The contract language or subsequent amendments to the contracts between the

parties must contain provisions on how the 911 call routing and location validation data provided by the counties will be utilized by the ECNSPs, including how data coordination and quality assurance with the counties will be conducted. (c) The contract language or subsequent amendments to contracts between the parties must contain provisions for resolving disputes. (d) All data required under this chapter or Minnesota Rules, chapter 7580, to route 911 calls, provide caller location, or to validate possible 911 caller location information that is utilized or intended to be utilized by the 911 system must be provided by the counties and the state without cost and may be utilized by ECNSPs and OSPs for purposes of performing location data quality assurance, ensuring 911 system performance and statutory compliance. Use of the data is governed by section 403.07 and Minnesota Rules, chapter 7580.

Subd. 1d. **Intergovernmental agreements.** Intergovernmental agreements may be implemented between the commissioner and counties or regional boards to support 911 system plan changes, communicate the network design, and specify cybersecurity standards. The commissioner must develop the master agreement in collaboration with the governmental entity.

Subd. 1e. **County requirements.** (a) Each county must operate and maintain a 911 system and provide 911 services. (b) Each county is responsible for creating and maintaining a master street address guide and Geographical Information Systems data necessary to support accurate 911 call routing and location validation required to support the 911 network.

Subd. 1f. **911 plans.** Each participating county, federal, Tribal, or other organization must maintain and update a 911 plan that accurately documents current operations and 911 system configurations within the public safety answering point in accordance with Minnesota Rules, chapter 7580. The commissioner must review 911 system plans for compliance with 911 network and cybersecurity standards required under Minnesota Rules, chapter 7580.

Subd. 1g. **Secondary public safety answering point requirements.** Secondary public safety answering points may be required to engage in agreements with the commissioner regarding network design standards, cybersecurity standards, and 911 fee audits.

Subd. 2. **Multijurisdictional system.** The 911 network, 911 services, and 911 systems may be multijurisdictional and regional in character provided that design and implementation are preceded by cooperative planning on a county-by-county basis with local public safety agencies. An intergovernmental agreement must be in place between the participating government entities in a multijurisdictional or regional system, and the commissioner must be notified of the 911 plan change in accordance with Minnesota Rules, chapter 7580.

Subd. 3. ~~Connected telecommunications originating service provider requirements. Every owner and operator of a wire-line or wireless circuit-switched or packet-based telecommunications system connected to the public-switched telephone network shall design and maintain the system to dial the 911 number without charge to the caller. Every OSP must allow Minnesota customers to access 911 without charge and deliver the request for emergency assistance to the Minnesota ESNet911 network at a state-designated POI and provide caller location information unless there are circumstances beyond the control of the provider to define a valid caller address, geographic location, or primary place of address.~~

Subd 3b **Originating Service Provider Contractual requirements.** (a) The state may contract with the appropriate wire-line telecommunications service providers or other entities determined by the commissioner to be eligible for cost recovery for providing access to the 911 network for their subscribers. (b) The contract language or subsequent amendments to the contract must include a

description of the costs that are being reimbursed for. The contract language or subsequent amendments must include the terms of compensation based on the effective tariff or price list filed with the Public Utilities Commission or the prices agreed to by the parties. (c) The contract language or subsequent amendments to contracts between the parties must contain a provision for resolving disputes.

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

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

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

~~Subd. 7. **Contractual requirements.** (a) The state shall contract with the county or other governmental agencies operating public safety answering points and with the appropriate wire line telecommunications service providers or other entities determined by the commissioner to be capable of providing effective and efficient components of the 911 system for the operation, maintenance, enhancement, and expansion of the 911 system. (b) The contract language or subsequent amendments to the contract must include a description of the services to be furnished to the county or other governmental agencies operating public safety answering points. The contract language or subsequent amendments must include the terms of compensation based on the effective tariff or price list filed with the Public Utilities Commission or the prices agreed to by the parties. (c) The contract language or subsequent amendments to contracts between the parties must contain a provision for resolving disputes.~~

403.03 911 SERVICES TO BE PROVIDED.

Subdivision 1. **Emergency response services.** a) Services available through a 911 system must include police, firefighting, and emergency medical and ambulance services. Other emergency and civil defense services may be incorporated into the 911 system at the discretion of the public agency operating the public safety answering point.

b) In addition to ensuring an appropriate response under paragraph (a), the 911 system shall include a referral to mental health crisis teams, where available.

Subd. 2. **Telephone cardiopulmonary resuscitation program.** (a) ~~On or before July 1, 2021, every~~ Every public safety answering point must maintain a telephone cardiopulmonary resuscitation program by either:

1. providing each 911 telecommunicator with training in cardiopulmonary resuscitation; or
2. Transferring callers to another public safety answering point with 911 telecommunicators that have received training in cardiopulmonary resuscitation.

Training in cardiopulmonary resuscitation must, at a minimum, include:

1. use of an evidence-based protocol or script for providing cardiopulmonary resuscitation instruction that has been recommended by an academic institution or a nationally recognized organization specializing in medical dispatch and, if the public safety answering point has a medical

director, approved by that medical director; and

2. Appropriate continuing education, as determined by the evidence-based protocol for providing cardiopulmonary resuscitation instruction and, if the public safety answering point has a medical director, approved by that medical director.

A public safety answering point that transfers callers to another public safety answering point must, at a minimum:

1. use an evidence-based protocol for the identification of a person in need of cardiopulmonary resuscitation;
2. provide each 911 telecommunicator with appropriate training and continuing education to identify a person in need of cardiopulmonary resuscitation through the use of an evidence-based protocol; and
3. Ensure that any public safety answering point to which calls are transferred uses 911 telecommunicators who meet the training requirements under paragraph (b).

Each public safety answering point shall conduct ongoing quality assurance of its telephone cardiopulmonary resuscitation program.

Subd. 3. **Monitoring and enforcing training requirements.** The Statewide Emergency Communications Board shall adopt protocols to ensure that operators of every public safety answering point comply with subdivision 2.

Subd. 4. **Liability exemption.** (a) If a caller refuses or is otherwise unwilling or unable to provide cardiopulmonary resuscitation or receive telephone cardiopulmonary resuscitation instruction, the 911 telecommunicator is not required to provide cardiopulmonary resuscitation instruction and is immune from civil liability for any damages resulting from the fact that such instruction was not provided. Telephone cardiopulmonary resuscitation instruction is a general duty to the public rather than a special duty owed to individuals, and a 911 telecommunicator must exercise judgment and discretion in performing actions including but not limited to:

1. determining whether a particular situation requires instituting the cardiopulmonary resuscitation program;
2. determining whether a caller refuses or is otherwise unable or unwilling to provide cardiopulmonary resuscitation or receive telephone cardiopulmonary resuscitation instruction;
3. using and appropriately adapting an evidence-based protocol or script for providing cardiopulmonary resuscitation instruction based on individual callers and emergency situations presented by callers; and
4. Determining when to transfer a caller to another public safety answering point with 911 telecommunicators that have received training in cardiopulmonary resuscitation.

403.05 911 ~~SYSTEM~~ NETWORK OPERATION AND MAINTENANCE.

Subdivision 1. **Operate and maintain.** ~~Each county or any other governmental agency shall~~ The commissioner must operate and maintain its a statewide 911 system to meet network meeting the requirements of governmental agencies whose services are available through the 911 system and to permit future expansion or enhancement of the system set forth by the commissioner through rules established under chapter 14, including but not limited to network and data performance measures, diversity, redundancy, interoperability, and cybersecurity. Each county, federal, Tribal, or other organization connected to the statewide 911 network must operate and maintain a 911 system that meets the requirements of governmental agencies whose services are available through the 911 network.

Subd. 1a. **GIS validation and aggregation.** The commissioner must provide geospatial data validation and aggregation tools that counties need in order to share the GIS data required for the 911 network.

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

Subd. 2a. **Responsibilities of PSAPs.** (a) Each PSAP connecting to the statewide 911 network must comply with state and, where applicable, regional 911 plans. Federal, Tribal, or other governmental organizations operating their own 911 systems must be approved by the commissioner. (b) Any PSAP not connected to the state 911 network that desires to interact with a 911 system or has an agreement for shared 911 services must be interoperable with the state 911 network.

~~Subd. 3. **Agreements for service.** Each county or any other governmental agency shall contract with the state for the recurring and nonrecurring costs associated with operating and maintaining 911 emergency communications systems. If requested by the county or other governmental agency, the county or agency is entitled to be a party to any contract between the state and any wire-line telecommunications service provider or 911 emergency telecommunications service provider providing components of the 911 system within the county. The state must contract for facilities and services associated with operating and maintaining the Minnesota statewide 911 network and ESInet. The contract and any subsequent amendments must include a description of the services to be provided and the terms of compensation based on the prices agreed to by the parties.~~

403.06 COMMISSIONER'S DUTIES.

Subdivision 1. **System coordination, improvements, variations, and agreements.** ~~The commissioner shall may coordinate with counties on the management and maintenance of their 911 systems. If requested, the commissioner shall must aid counties in the formulation of concepts, methods, their public safety answering point plans, system design plans, performance and operational requirements, and procedures which will improve the operation and maintenance of their 911 systems. The commissioner shall establish procedures for determining and evaluating requests for variations from the established design standards. The commissioner shall respond to requests by wireless or wire-line telecommunications service providers or by counties or other governmental agencies for system agreements, contracts, and tariff language promptly and no later than within 45 days of the request unless otherwise mutually agreed to by the parties.~~

Subd. 1a. **Biennial budget; annual financial report.** ~~The commissioner shall must prepare a biennial budget for maintaining the 911 system by December 15 of each year. The commissioner shall must submit a report to the legislature detailing the expenditures for maintaining the 911 system network, the 911 fees collected, the balance of the 911 fund, the 911-related administrative expenses of the commissioner, the 911 fees collected, and the most recent forecast of revenues and expenditures for the~~

911 emergency telecommunications service account, including a separate projection of ~~E911~~ 911 fees from prepaid wireless customers and projections of year-end fund balances. The commissioner is authorized to expend money that has been appropriated to pay for the maintenance, enhancements, and expansion of the 911 ~~system~~ network.

Subd. 1b. Connection plan required; commissioner review and enforcement. (a) The commissioner must respond to network and database change requests by OSPs promptly and no later than within 45 days of the request unless otherwise mutually agreed to by the parties. All network and location database variances requested by OSPs connecting to the ESI²net must comply with Minnesota Rules.

(b) All OSPs must submit and maintain a plan for connection to the 911 network POIs in accordance with the requirements set forth in Minnesota Rules. The commissioner must review all connection plans to ensure compliance with all 911 network and database design and performance requirements.

Subd. 2. **Waiver.** Any county, ~~other governmental agency, wireless telecommunications service provider, or wire-line telecommunications service provider~~ federal, Tribal, or other organization connected to the statewide 911 network or OSP may petition the commissioner for a waiver of all or portions of the requirements. A waiver may be granted upon a demonstration by the petitioner that the requirement is economically infeasible.

403.07 NETWORK STANDARDS ESTABLISHED; DATA PRIVACY.

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

(1) design and performance standards for the 911 ~~systems~~ incorporating the standards adopted pursuant to subdivision 2 for the seven-county metropolitan area network, including but not limited to network, routing, and database standards for counties, OSPs, and ECNSPs;

and

(2) a procedure for determining and evaluating requests for variations from the established design standards design and performance standards for the ten-county metropolitan area, incorporating the standards adopted pursuant to subdivision 2.

Subd. 2. **Design standards for metropolitan area.** The Metropolitan Emergency Services Board ~~shall~~ must establish and adopt design and performance standards for the metropolitan area 911 system and transmit them to the commissioner for incorporation into the rules adopted pursuant to this section 911 network for the ten-county metropolitan area, including but not limited to network design, routing, and database standards for counties, OSPs, and ECNSPs operating in the ten-county metropolitan area and provide them to the commissioner in accordance with chapter 14 for incorporation into the rules adopted pursuant to this section. Such standards must be interoperable with the statewide 911 network and data standards.

Subd. 3. **Database Location data.** ~~In 911 systems that have been approved by the commissioner for a local location identification database, each wire-line telecommunications service provider shall provide current customer names, service addresses, and telephone numbers to each public safety answering point~~

~~within the 911 system and shall update the information according to a schedule prescribed by the county 911 plan. Information provided under this subdivision must be provided in accordance with the transactional record disclosure requirements of the federal Communications Act of 1932, United States Code, title 47, section 222, subsection (g). All OSPs must provide to the 911 network, at the time of each 911 call, the location of the device making the 911 call, unless there are circumstances beyond the control of the provider that prevents the OSP from sharing the location data. Any OSP supplying the location of 911 calls in civic address form must prevalidate the address to location data supplied by the county and accessible through the NGCS.~~

Subd. 3a. Access to data for accuracy verification. (a) OSPs must, upon request of the state, a region, the ECNSP, or a PSAP, provide a description of or copy of subscriber address location information or GIS data used by the OSP that is necessary to verify location and routing accuracy of 911 calls. Any ECNSP routing 911 calls must, upon request of the state provide a copy of routing files used in determining PSAP selection for the purpose of verifying routing accuracy.

(b) OSPs must, upon request of the state, a region, the ECNSP, or a PSAP, provide a copy of subscriber address location information for uses specific to 911 systems. This request may carry a cost to the requester.

Subd. 3b. Database standards in metropolitan area. The Metropolitan Emergency Services Board must establish and adopt 911 database standards for OSPs operating in the ten-county metropolitan area 911 system and provide them to the commissioner for incorporation in accordance with chapter 14 into the rules adopted pursuant to this section.

Subd. 4. Use of furnished information. (a) Names, addresses, and telephone numbers provided to a 911 system under subdivision 3 are private data and may be used only: (1) to identify the location or identity, or both, of a person calling a 911 ~~public safety answering point~~ PSAP; or (2) by a ~~public safety answering point~~ PSAP to notify the public of an emergency.

(b) The information furnished under ~~subdivision 3~~ this chapter and the rules adopted pursuant to subdivision 1 may not be used or disclosed by 911 system agencies, their agents, or their employees for any other purpose except under a court order.

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

Subd. 5. Liability. (a) ~~A wire-line telecommunications service provider~~ OSP, its employees, or its agents are not liable to any person who uses ~~enhanced 911 telecommunications~~ NG911 services for release of subscriber information required under this chapter to any ~~public safety answering point~~ PSAP. (b) ~~A wire-line telecommunications service provider~~ OSP is not liable to any person for the good-faith release to emergency communications personnel of information not in the public record, including, but not limited to, nonpublished or nonlisted telephone numbers, except for willful or wanton misconduct.

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

~~(d) A multiline telephone system manufacturer, provider, or operator is not liable for any civil damages or penalties as a result of any act or omission, except willful or wanton misconduct, in connection with developing, designing, installing, maintaining, performing, provisioning, adopting, operating, or implementing any plan or system required by section 15.23 403.15.~~

(e) A ~~telecommunications service provider~~ OSP that participates in or cooperates with the public safety answering point in notifying the public of an emergency, as authorized under subdivision 4, is immune from liability arising out of the notification except for willful or wanton misconduct.

403.08 WIRELESS TELECOMMUNICATIONS ORIGINATING SERVICE PROVIDER PROVIDERS.

Subd. 7. **Duties.** ~~Each wireless telecommunications service provider shall cooperate in planning and implementing integration with enhanced 911 systems operating in their service territories to meet Federal Communications Commission enhanced 911 standards. Each wireless telecommunications service provider shall annually develop and provide to the commissioner good faith estimates of installation and recurring expenses to integrate wireless 911 service into the enhanced 911 networks to meet Federal Communications Commission phase one wireless enhanced 911 standards. The commissioner shall coordinate with counties and affected public safety agency representatives in developing a statewide design and plan for implementation.~~ Each originating service provider must cooperate in planning and implementing integration with the statewide 911 network to meet Federal Communications Commission and Minnesota Public Utilities Commission 911 requirements, as applicable.

Subd. 9. **Scope.** ~~Planning considerations must include cost, degree of integration into existing 911 systems, the retention of existing 911 infrastructure, and the potential implications of phase 2 of the Federal Communications Commission wireless enhanced 911 standards~~ a plan to interconnect to the 911 network POIs, the retention and reuse of existing 911 infrastructure, and the implications of the Federal Communications Commission's wireless location accuracy requirements.

Subd. 10. **Plan integration.** ~~Counties shall incorporate the statewide design when modifying county 911 plans to provide for integrating wireless 911 service into existing county 911 systems. Originating service providers must annually submit plans to the commissioner detailing how they will connect, or confirming how they already connect, to the statewide 911 network.~~

Subd. 11. **Liability.** (a) ~~No OSP wireless enhanced 911 emergency telecommunications service provider, its employees, or its agents are liable to any person for civil damages resulting from or caused by any act or omission in the development, design, installation, operation, maintenance, performance, or provision of enhanced 911 wireless service, except for willful or wanton misconduct.~~

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

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

~~Subd. 12. **Notification of subscriber.** A provider of wireless telecommunications services shall notify its subscribers at the time of initial subscription and four times per year thereafter that a 911 emergency call made from a wireless telephone is not always answered by a local public safety answering point but may be routed to a State Patrol dispatcher and that, accordingly, the caller must provide specific information regarding the caller's location. Sec. 9.~~

403.09 ENFORCEMENT

Subd. 1. **Commissioner's authority.** At the request of the commissioner of public safety, the attorney general may commence proceedings in the district court against any person or public or private body to enforce the provisions of this chapter.

Subd. 2. **Commission authority.** At the request of the public utilities commission, the attorney general may commence proceedings before the district court pursuant to section 237.27, against any ~~wire-line telecommunications~~ originating service provider that falls under the commission's authority and refuses to comply with this chapter.

~~Subd. 3. **Dispute resolution.** Disputes between parties must be resolved pursuant to section 403.025, subdivision 7, paragraph (c).~~

403.10 COOPERATIVE AGREEMENT.

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

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

Subd. 3. **Allocating costs.** Counties, public agencies, operating public safety answering points, and other local governmental units may enter into cooperative agreements under section 471.59 for the allocation of operational and capital costs attributable to the 911 system and 911 services.

403.11 911 SYSTEM COST ACCOUNTING REQUIREMENTS; FEE.

Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer of ~~a wireless or wire-line switched or packet-based telecommunications~~ an originating service provider connected to the public switched telephone network that furnishes service capable of originating a 911 emergency telephone call is assessed a fee based upon the number of wired or wireless telephone lines, or their equivalent, to provide access to the 911 network and maintenance of the 911 customer database, or when the only option, to cover the costs of ongoing maintenance and related improvements for trunking and central office switching equipment and maintenance of 911 customer databases for 911 emergency telecommunications service, to offset administrative and staffing costs of the commissioner related to managing the 911 emergency

telecommunications service program, to make distributions provided for in section 403.113, and to offset the costs, including administrative and staffing costs, incurred by the State Patrol Division of the Department of Public Safety in handling 911 emergency calls made from wireless phones.

(b) Money remaining in the 911 emergency telecommunications service account after all other obligations are paid and defined reserves are met must not cancel and is carried forward to subsequent years and may be appropriated ~~from time to time~~ to the commissioner to provide financial assistance to ~~counties~~ eligible entities for the improvement of ~~local emergency telecommunications services~~ 911 systems in compliance with use as designated in section 403.113, subdivision 3

(c) The fee may not be more than 95 cents a month on or after July 1, 2010, for each customer access line or other basic access service, including trunk equivalents as designated by the Public Utilities Commission for access charge purposes and including wireless telecommunications services. With the approval of the commissioner of management and budget, the commissioner of public safety ~~shall~~ must establish the amount of the fee within the limits specified and inform the companies and carriers of the amount to be collected. ~~When the revenue bonds authorized under section 403.27, subdivision 1, have been fully paid or defeased, the commissioner shall reduce the fee to reflect that debt service on the bonds is no longer needed.~~ The commissioner ~~shall~~ must provide companies and carriers a minimum of 45 days' notice of each fee change. The fee must be the same for all customers, except that the fee imposed under this subdivision does not apply to prepaid wireless telecommunications service, which is instead subject to the fee imposed under section 403.161, subdivision 1, paragraph (a).

(d) The fee must be collected by each ~~wireless or wire-line telecommunications~~ originating service provider subject to the fee. Fees are payable to and must be submitted to the commissioner monthly before the 25th of each month following the month of collection, except that fees may be submitted quarterly if less than \$250 a month is due, or annually if less than \$25 a month is due. Receipts must be deposited in the state treasury and credited to a 911 emergency telecommunications service account in the special revenue fund. The money in the account may only be used for 911 telecommunications services. The money in the account may only be used for costs outlined in section 403.113.

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

Subd. 1a. **Fee collection declaration.** If the commissioner disputes the accuracy of a fee submission or if no fees are submitted by ~~a wireless, wire-line, or packet-based telecommunications service provider,~~ the wireless, wire-line, or packet-based telecommunications an originating service provider shall, the OSP must submit a sworn declaration signed by an officer of the company certifying, under penalty of perjury, that the information provided with the fee submission is true and correct. The sworn declaration must specifically describe and affirm that the 911 fee computation is complete and accurate. When ~~a wireless, wire-line, or packet-based telecommunications service provider~~ an OSP fails to provide a sworn declaration within 90 days of notice by the commissioner that the fee submission is disputed, the commissioner may estimate the amount due from the ~~wireless, wire-line, or packet-based telecommunications service provider~~ OSP and refer that amount for collection under section 16D.04.

Subd. 1b. **Examination of fees.** If the commissioner determines that an examination is necessary to document the fee submission and sworn declaration in subdivision 1a, the ~~wireless, wire-line, or packet-~~

~~based telecommunications originating~~ service provider must contract with an independent certified public accountant to conduct an examination of fees. The examination must be conducted in accordance with attestation audit standards.

Subd. 3. **Method of payment.** (a) Any wireless or wire-line telecommunications service provider incurring reimbursable costs under subdivision 1 ~~shall submit an invoice itemizing rate elements by county or service area to the commissioner for 911 services furnished under contract. Any wireless or wire-line telecommunications service provider is eligible to receive payment for 911 services rendered according to the terms and conditions specified in the contract. The commissioner shall pay the invoice within 30 days following receipt of the invoice unless the commissioner notifies the service provider that the commissioner disputes the invoice.~~ will be paid in accordance with the amount and terms of their valid cost recovery contract as described in 403.025 Subd. 3b.

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

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

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

Subd. 3c. **Audit.** ~~If the commissioner determines that an audit is necessary to document the invoice and sworn declaration in subdivision 3b costs eligible for recovery as detailed in Subd. 1, the wireless or wire-line telecommunications originating service provider must contract with an independent certified public accountant to conduct the audit. The audit must be conducted according to generally accepted accounting principles. The wireless or wire-line telecommunications originating service provider is responsible for any costs associated with the audit.~~

Subd. 3d. **Eligible telecommunications carrier; requirement.** ~~No wireless communications originating service provider may provide telecommunications services under a designation of eligible telecommunications carrier, as provided under Minnesota Rules, part 7811.1400, until and unless the commissioner of public safety certifies to the chair of the public utilities commission that the wireless telecommunications provider is not in arrears in amounts owed to the 911 emergency telecommunications service account in the special revenue fund.~~

Subd. 4. **Local recurring costs.** ~~Recurring costs of not covered as part of the state 911 network contracts~~ for telecommunications equipment and services at public safety answering points must be borne by the local governmental agency operating the public safety answering point or allocated pursuant to section 403.10,

subdivision 3. Costs attributable to local government electives for services not otherwise addressed under section 403.11 or 403.113 must be borne by the governmental agency requesting the elective service.

Subd. 5. **Tariff notification.** Wire-line telecommunications service providers or wireless telecommunications service providers holding eligible telecommunications carrier status ~~shall~~ must give notice to the commissioner and any other affected governmental agency of tariff or price list changes related to 911 service at the same time that the filing is made with the public utilities commission.

Subd. 6. **Originating service provider report.** (a) ~~Beginning Each September 1, 2013, and continuing semiannually thereafter and March 1, each wireless telecommunications originating service provider shall must report to the commissioner, based on the mobile subscriber's telephone number, both.~~ Wireless communication providers must include the total number of prepaid wireless telecommunications subscribers sourced to Minnesota and the total number of wireless telecommunications subscribers sourced to Minnesota. The report must be filed on the same schedule as Federal Communications Commission Form 477.

(b) The commissioner ~~shall~~ must make a standard form available to all wireless telecommunications service providers for submitting information required to compile the report required under this subdivision.

(c) The information provided to the commissioner under this subdivision is considered trade secret information under section 13.37 and may only be used for purposes of administering this chapter.

403.113 ENHANCED 911 SERVICE COSTS; FEE.

Subdivision 1. **Fee.** A portion of the fee collected under section 403.11 must be used to fund implementation, operation, maintenance, enhancement, and expansion of ~~enhanced the~~ 911 service network, including acquisition of necessary equipment and the costs of the commissioner to administer the program in accordance with Federal Communications Commission rules.

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

(1) one-half of the amount equally to all qualified counties, and after October 1, 1997, to all qualified counties, existing ten public safety answering points operated by the Minnesota State Patrol, and each governmental entity operating the individual public safety answering points serving the Metropolitan Airports Commission, the Red Lake Indian Reservation, and the University of Minnesota Police Department; and (2) the remaining one-half to qualified counties and cities with existing 911 systems based on each county's or city's percentage of the total population of qualified counties and cities. The population of a qualified city with an existing system must be deducted from its county's population when calculating the county's share under this clause if the city seeks direct distribution of its share.

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

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

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

Subd. 3. **Local expenditures.** (a) Money distributed under subdivision 2 for ~~enhanced 911 service systems or services~~ may be spent on enhanced 911 system costs for the purposes stated in subdivision 1. ~~In addition, money may be spent to lease, purchase, lease purchase, or maintain enhanced 911 equipment, including telephone equipment; recording equipment; computer hardware; computer software for database provisioning, addressing, mapping, and any other software necessary for automatic location identification or local location identification; trunk lines; selective routing equipment; the master street address guide; dispatcher public safety answering point equipment proficiency and operational skills; pay for long distance charges incurred due to transferring 911 calls to other jurisdictions; and the equipment necessary within the public safety answering point for community alert systems and to notify and communicate with the emergency services requested by the 911 caller, as well as expenses deemed allowable in accordance with Code of Federal Regulations, title 47, section 9.2.~~

(b) Money distributed for ~~enhanced 911 systems or service services~~ may not be spent on:

(1) purchasing or leasing of real estate or cosmetic additions to or remodeling of ~~communications centers~~ public safety answering points;

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

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

(4) any purposes prohibited by the Federal Communications Commission;

(5) transferring of 911 fees into a state or other jurisdiction's general fund or other fund for non-911 purposes;

(6) public safety telecommunicator salaries unless associated with training functions; and

(7) the leasing or purchase of end user equipment.

Subd. 4. **Audits.** (a) Each county and city or other governmental entity federal, Tribal, or other organization connected to the statewide 911 network as described in subdivision 2, paragraph (a), clause (1), shall or secondary public safety answering point must conduct an annual audit compliance report in accordance with Minnesota Rules, chapter 7580, and Code of Federal Regulations, title 47, section 9.25, on the use of funds distributed to it for enhanced 911 service systems or services to ensure the distribution is spent according to subdivision 3. A copy of each audit compliance report must be submitted to the commissioner.

(b) The commissioner may request a state audit of a county, federal, Tribal, or other organization

connected to the statewide 911 network which receives 911 funds from the state to operate its 911 system or service to ensure compliance with subdivision 3.

(c) Failure to submit an ~~audit~~ compliance report may result in a disruption of 911 fee distribution until the ~~audit~~-compliance report is submitted.

403.15 MULTILINE TELEPHONE SYSTEM 911 REQUIREMENTS.

Subdivision 1. **Multistation or PBX system.** Except as otherwise provided in this section, every owner and operator of a new multistation or private branch exchange (PBX) multiline telephone system purchased or upgraded after December 31, 2004, ~~shall~~ must design and maintain the system to provide a callback number or 10-digit caller ID and emergency response location.

Subd. 2. **Multiline telephone system user dialing instructions.** (a) Each multiline telephone system (MLTS) operator must demonstrate or otherwise inform each new telephone system user how to call for emergency assistance from that particular multiline telephone system.

(b) MLTS platforms that are manufactured, imported, offered for first sale or lease, first sold or leased, or installed after February 16, 2020, must enable users to directly initiate a call to 911 from any station equipped with dialing facilities without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit 9, regardless of whether the user is required to dial such a digit, code, prefix, or postfix for other calls.

(c) MLTSs that are manufactured, imported, offered for first sale or lease, first sold or leased, or installed after February 16, 2020, must be configured so that upon an occurrence of a 911 call it will provide a notification that a 911 call has been made to a central location at the facility where the system is installed or to another person or organization, regardless of location, if the system is able to be configured to provide the notification without an improvement to the hardware or software of the system.

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

- (1) automatic location identification for each respective emergency response location;
- (2) the ability to direct emergency responders to the 911 caller's location through an alternative and adequate means, such as the establishment of a 24-hour private answering point operated by the facility; or
- (3) a connection to a switchboard operator, attendant, or other designated on-site individual.

Subd. 4. **Hotel or motel multiline telephone system.** Operators of hotel and motel multiline telephone systems ~~shall~~ must permit the dialing of 911 and ~~shall~~ must ensure that 911 calls originating from hotel or motel multiline telephone systems allow the 911 system to clearly identify the address and specific

location of the 911 caller.

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

- (1) automatic location identification for each respective emergency response location;
- (2) an ability to direct emergency responders to the 911 caller's location through an alternative and adequate means, such as the establishment of a 24-hour private answering point operated by the employer; or
- (3) a connection to a switchboard operator, attendant, or other designated on-site individual.

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

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

- (1) an employer's work space is less than 40,000 square feet, located on a single floor and on a single contiguous property;
- (2) an employer's work space is less than 7,000 square feet, located on multiple floors and on a single contiguous property; or
- (3) an employer's work space is a single public entrance, single floor facility on a single contiguous property.

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

- (1) automatic location identification for each respective emergency response location;
- (2) an ability to direct emergency responders to the 911 caller's location through an alternative and adequate means, such as the establishment of a 24-hour private answering point operated by the educational institution; or
- (3) a connection to a switchboard operator, attendant, or other designated on-site individual.

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

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

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

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

Subd. 9. **MLTS location compliance notification.** Beginning July 1, 2022, all vendors of MLTSs or hosted MLTS services in Minnesota must disclose to their customers the 911 location requirements in this chapter and include 911 location compliant capabilities in the systems or services they sell. Failure to comply may waive any liability protections for the vendor as provided in section 403.025, subdivision 8.



METROPOLITAN EMERGENCY SERVICES BOARD

Meeting Date:

December 14, 2022

Agenda Item:

7C. Discussion: MESB Policy

004 – Per Diem

Presenter:

Rohret

RECOMMENDATION

None – this is a discussion item.

BACKGROUND

The Board established Policy 004 – Per Diem in 1996. This policy was revised in 2015.

ISSUES & CONCERNS

Staff wish to discuss the Board's Per Diem policy, due to some confusion with how the per diem policy is applied. Each member county has its own policy for whether board members should receive per diem payments from boards on which they may serve. MESB staff has observed differences with board members from the same county regarding per diem payments. Staff has the same concerns related to mileage payments.

Staff would like to discuss whether the MESB policy could be applied not only across member organizations, but also consistently between board members from the same organization.

A few options could be considered, including routinely paying all per diem and mileage payments to the member organizations directly, rather than to board members or eliminating per diem payments completely.

FINANCIAL IMPACT

None to the MESB.

MOTION BY:

SECONDED BY:

MOTION:

PASS/FAIL

Metropolitan Emergency Services Board

Subject: Per Diem Procedures

Number: 004

Effective Date: 01-13-1996

Revision Date: 09-09-2015

This policy is to standardize the Board per diem to ensure that payments to Board members are processed in accordance with Board members' requests. The signature forms (example below) are circulated at each Executive Committee and Board meeting. A signature on the form will indicate that the Board member was in attendance and authorizes the per diem and/or mileage payment. This signature sheet will serve as notification to issue the per diem and mileage payment and as documentation for the auditor.

Per diem payments will not be applicable for standing committees of the Board; however, mileage will be paid for any Board member appointed to a standing committee. To minimize costs, standing committees are encouraged to make every attempt to meet in conjunction with other meetings.

Metropolitan Emergency Services Board

Subject: Per Diem Procedures

Number: 004

Effective Date: 01-13-1996

Revision Date: 09-09-2015

METROPOLITAN EMERGENCY SERVICES BOARD MEMBERS Per Diem Payment Register

Meeting Date: _____

I certify that the claim amount herein is accurate and that no part of it has been paid.

Name	Address	Signature	Amount
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
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Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage

METROPOLITAN EMERGENCY SERVICES BOARD Executive Committee Members Per Diem Payment Register

Meeting Date: _____

I certify that the claim amount herein is accurate and that no part of it has been paid.

Name	Address	Signature	Amount
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage
Commissioner			\$50.00 + mileage