



## **METROPOLITAN EMERGENCY SERVICES BOARD BOARD MEETING AGENDA**

September 8, 2021, 10:00 a.m.

1. **Call to Order** – Board Chair, Commissioner Joe Atkins
2. **Approval of Agenda** – Commissioner Atkins
3. **Consent Agenda** – Rohret (**page 3**)
  - A. Approval: July 14, 2021 Meeting Minutes
  - B. Approval: June 2021 Treasurer's Report
  - C. Approval: July 2021 Treasurer's Report
  - D. Correspondence
4. **Radio Items** – Tracey Fredrick, Radio Services Coordinator
  - A. Approval of 2022 Regional Funding Priorities (**page 33**)
5. **9-1-1 Items** – Pete Eggimann, Director of 9-1-1 Services/Mike Mihelich, 9-1-1 Manager
  - A. Ratification of Appointment(s) to 9-1-1 Telecommunicator Reclassification Work Group (**page 35**)
6. **EMS Items** – Ron Robinson, EMS Coordinator
  - A. Award of RFP for EMS Leadership Development (**page 45**)
  - B. Approval and Acceptance of EMSRB Continuing Education Grant (**page 47**)
7. **Administrative Items** – Jill Rohret, Executive Director
  - A. Appointment of Primary Representative to SECB Legislative Committee (**page 63**)
  - B. Award of RFP for Audit Services (**page 65**)
  - C. Approval of New MESB Policy 035 – Not Public Data and MESB Data Inventory (**page 67**)
  - D. Discussion – Draft Amendments to Minnesota Statutes 403 (**page 75**)
8. **Reports**
  - A. Legislative Report – Margaret Vesel/Matthew Bergeron
  - B. Statewide Emergency Communications Board (SECB) Reports:
    - 1) Finance – Tracey Fredrick
    - 2) Legislative – Commissioner Meisner/Rohret
    - 3) Steering – Commissioner Fernando/Rohret
    - 4) Other SECB Committees – Eggimann/Fredrick
    - 5) Board – Commissioner Matascastillo/Rohret – August meeting cancelled
9. **Old Business** – None
10. **New Business**
  - A. Special, Closed MESB Meeting, Thursday, September 30 at 10:00 a.m. – Rohret
  - B. Recognition of Pete Eggimann's Retirement – Atkins/Rohret
11. **Adjourn**



## **METROPOLITAN EMERGENCY SERVICES BOARD BOARD MEETING AGENDA**

September 8, 2021, 10:00 a.m.

### *Metropolitan Emergency Services Board Members*

#### Anoka County

Commissioner Mike Gamache\*  
Commissioner Mandy Meisner

#### Carver County

Commissioner Gayle Degler\*  
Commissioner John Fahey

#### Chisago County

Commissioner Rick Greene\*

#### City of Minneapolis

Council Member Andrew Johnson\*

#### Dakota County

Commissioner Joe Atkins\* (2021 Chair)  
Commissioner Mary Hamann-Roland

#### Hennepin County

Commissioner Irene Fernando\* (2021 Vice Chair)  
Commissioner Chris LaTondresse

#### Isanti County

Commissioner Greg Anderson\* (2021 Secretary)

#### Ramsey County

Commissioner Trista Matascastillo\* (2021 Treasurer)  
Commissioner Jim McDonough

#### Scott County

Commissioner Dave Beer  
Commissioner Tom Wolf\*

#### Sherburne County

Commissioner Felix Schmiesing\*

#### Washington County

Commissioner Wayne Johnson  
Commissioner Fran Miron\*

\*Denotes Executive Committee member



## METROPOLITAN EMERGENCY SERVICES BOARD

**Meeting Date:**  
**Agenda Item:**  
**Presenter:**

**September 8, 2021**  
**3. Consent Agenda**  
**Rohret**

- A. **Minutes** – The minutes of the July 14, 2021 meeting of the Board are attached for review and approval.
- B. **June 2021 Treasurer's Report** – The Treasurer has reviewed the June 2021 financial statements and has given her approval of the report.
- C. **July 2021 Treasurer's Report** – The Treasurer has reviewed the July 2021 financial statements and has given her approval of the report.
- D. **Correspondence** – Items in correspondence include a letter to Dakota County indicating the maximum 2022 assessment (letter is representative of the 11 letters sent to MESB member agencies in July 2021), and two letters to contractors not selected for the NG9-1-1 transition RFP.
- E. **Informational Only** – The tracking sheet for the AAR recommendations resulting from the 2020 civil unrest is included for your information.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL



# METROPOLITAN EMERGENCY SERVICES BOARD

## BOARD MEETING MINUTES

July 14, 2021

Meeting held via WebEx

### Commissioners:

Greg Anderson, Isanti County  
Joe Atkins, Dakota County  
Dave Beer, Scott County  
Gayle Degler, Carver County  
John Fahey, Carver County - **absent**  
Irene Fernando, Hennepin County  
Mike Gamache, Anoka County  
Richard Greene, Chisago County  
Mary Hamann-Roland, Dakota County - **absent**

Andrew Johnson, City of Minneapolis  
Wayne Johnson, Washington County  
Chris LaTondresse, Hennepin County - **absent**  
Trista Matascastillo, Ramsey County  
Jim McDonough, Ramsey County  
Mandy Meisner, Anoka County - **absent**  
Fran Miron, Washington County  
Felix Schmiesing, Sherburne County  
Tom Wolf, Scott County

**Staff Present:** Marcia Broman; Pete Eggimann; Tracey Fredrick; Kelli Jackson; Ron Robinson; Jill Rohret; and Martha Ziese.

**Others Present:** Jay Arneson, *MESB Board Counsel*; Matthew Bergeron, *Larkin Hoffman*; Grady Harn, *Larkin Hoffman*; Margaret Vesel, *Larkin Hoffman*; and Kyle Olson, *Hennepin County*.

### 1. Call to Order

The meeting was called to order at 10:20 a.m. by the 2021 MESB Chair, Commissioner Joe Atkins.

### 2. Approval of Agenda

*Motion by Commissioner Miron, seconded by Commissioner Degler to approve the July 14, 2021 agenda. Motion carried.*

### Roll call for approval of agenda item 2

Name	County/City	Yes	No
Atkins, J.	Dakota	X	
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R.	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, A.	Minneapolis	X	
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14 Nay: 0 Motion passes.

# METROPOLITAN EMERGENCY SERVICES BOARD

## 3. Approval of Consent Agenda

*Motion made by Commissioner McDonough, seconded by Commissioner Fernando to approve the July 14, 2021 consent agenda. Motion carried.*

### Roll call for approval of agenda item 3

Name	County/City	Yes	No
Atkins, J.	Dakota	X	
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, A.	Minneapolis	X	
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14 Nay: 0 Motion passes.

## 4. Radio Items

### A. Approval of Allina EMS Request to Access ME TAC 11 and 12E Talkgroups

Tracey Fredrick said the Radio TOC recommends approval of Allina Health EMS's request for a waiver to Metro ARMER Standard 3.14.0 "Use of Metro ARMER ME TACs" for use of encrypted talkgroups ME TAC 11E and 12E. The standard states ME TAC 11E and 12E talkgroups are for law enforcement use only. Temporary permission was granted in April to use during Operation Safety Net.

*Motion made by Commissioner Wolf, seconded by Commissioner Miron to approve the Allina EMS Request to permanently access ME TAC 11 and 12E talkgroups. Motion carried.*

### Roll call for approval of agenda item 4

Name	County/City	Yes	No
Atkins, J.	Dakota	X	
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, A.	Minneapolis	X	

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Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14 Nay: 0 Motion passes.

### 5. 9-1-1 Items

#### A. Approval of Recommendation to Issue RFP for Regional Workload Sharing/Situational Awareness Consultant

Pete Eggimann said the 9-1-1 Technical Operations Committee (TOC) recommends the Board approve the recommendation to issue an RFP for a consultant to develop governance and funding plans, as well as the technical specifications for an RFP for a regional workload sharing/situational awareness solution at a cost not to exceed \$75,000.00.

The 9-1-1 TOC's recommendation was born out of the 2020 civil unrest and a 2018 study the Board commissioned on CAD-to-CAD interoperability.

*Motion made by Commissioner McDonough, seconded by Commissioner Degler to approve the recommendation to issue RFP for Regional Workload Sharing/Situational Awareness Consultant. Motion carried.*

#### Roll call for approval of agenda item 5A

Name	County/City	Yes	No
Atkins, J.	Dakota	X	
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, A.	Minneapolis	X	
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14 Nay: 0 Motion passes.

#### B. Approval of 9-1-1 Crisis Communications Plan

Eggimann said the 9-1-1 TOC recommends approval of the 9-1-1 Crisis Communication Plan (CCP) to be implemented by metro region PSAPs. A work group developed this

## METROPOLITAN EMERGENCY SERVICES BOARD

plan to replace an outdated plan put in place twenty years ago. This plan outlines direction for 9-1-1 telecommunicators in the event of a system outage.

*Motion made by Commissioner Miron, seconded by Commissioner Greene to approve the 9-1-1 Crisis Communication Plan. Motion carried.*

### Roll call for approval of agenda item 5B

Name	County/City	Yes	No
Atkins, J.	Dakota	X	
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R.	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, A.	Minneapolis	x	
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14    Nay: 0    Motion passes.

### C. Award of RFP for NG9-1-1 Consultant

Eggimann said this request is partially tied to his retirement. The consultants would help bridge the gap between Eggimann leaving and a new hire, in particular and the high visibility, long-term impact items that emergency communications people are involved with.

There were three responses to the RFP. Staff recommends the award be given to 911 Authority. Its response was the most thorough and the cost was within \$2,000 of the other respondents.

*Motion made by Commissioner Fernando to approve award of RFP for NG9-1-1 consultant to 911 Authority. Motion carried.*

### Roll call for approval of agenda item 5C

Name	County/City	Yes	No
Atkins, J.	Dakota	X	
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R.	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, A.	Minneapolis	x	



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Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14 Nay: 0 Motion passes.

### **D. Approval of Amendments to CHS1 Ancillary Agreement**

Eggimann said 5 entities that make up a shared call handling equipment system known as CHS-1 request approval of an amendment to the ancillary agreement which provides a new cost sharing formula.

Jill Rohret said there is a minor change to the document since the board packet was published. Page 2, Section 3, the second sentence now reads “this amendment shall be effective once all parties execute the amendment.

*Motion made by Commissioner Matascastillo, seconded by Commissioner Wolf to approve the amendment to CHS1 Ancillary agreement. Seconded by Commissioner Wolf. Motion carried.*

### **Roll call for approval of agenda item 5D**

Name	County/City	Yes	No
Atkins, J.	Dakota	X	
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, A.	Minneapolis	X	
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14 Nay: 0 Motion passes.

## **6. EMS Items**

### **A. Approval to Accept 2022 EMSRB VTR Funds Limited Purpose Grant**

Ron Robinson said staff recommends the board approve the 2022 Volunteer Training Reimbursement (VTR) funds grant from the EMSRB in the amount of \$25,000 and its associated work plan.

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Robinson said the EMSRB allocates to each EMS region any unspent funds from the VTR fund from the FY2020-2021 appropriation. The MESB received a VTR grant FY2020 in the amount of \$12,771.78 and was to provide a Communication Unit Leader (COML) course; the MESB was unable to provide the course due to the pandemic. This year, the amount available to each regional program is \$25,000.00; each region must submit a regional grant work plan. The Metro Region EMS work plan is to fund a COML course and a Medical Unit Leader (MEDL) course.

Robinson said the grant will be awarded after July 1, 2021 and must be used by June 30, 2022.

*Motion made by Commissioner Wolf, seconded by Commissioner Gamache to the accept the 2022 EMSRB VTR funds grant. Motion carried.*

### Roll call for approval of agenda item 6A.

Name	County/City	Yes	No
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R.	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14    Nay: 0    Motion passes.

### 7. Administrative Items

#### A. Approval of Regional Strategic Plan

Rohret said ECN paid for all regions to have facilitated meetings to create their own strategic plans. As a result of those meetings, the MESB has drafted a strategic plan for 2022-2024. The Radio and 9-1-1 TOCs have reviewed the plan and recommend approval. There is no financial impact to the Board by approving this plan. The Board will approve individual actions taken on the priorities.

Rohret said eight regional priorities were identified. She noted that the MESB has no authority over some priorities, but they were included as priorities for the region as a whole. The priorities are:

1. Expand interoperability between PSAPs.
2. Enhance options for continuity of operations.
3. Continue to invest in, upgrade, and expand the ARMER system.
4. Identify and establish funding sources – stable, planned, and sufficient.
5. Staff recruitment, development, and retention.

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6. Successful transition to Next Generation 9-1-1 Core Services.
7. Stay involved in industry research and development – be on the cutting edge, not the bleeding edge
8. Help decision makers understand and support the role of public safety emergency communications.

*Motion made by Commissioner Wolf, seconded by Commissioner Degler to approve the 2022-2024 MESB Regional Strategic Plan. Motion carried.*

### Roll call for approval of agenda item 7A

Name	County/City	Yes	No
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14    Nay: 0    Motion passes.

### B. Approval of 2022 MESB Operational Budget

Rohret said the 2022 operational budget reflects a 1.17% increase in assessments to members. She detailed the increases and decreases in budget categories. She noted that the 2022 budget includes a contribution from the Hennepin County Investment Fund to cover 2/5 of the salary and benefits for a GIS Specialist position which was added in 2019. Due to the coronavirus, there were unspent funds that had been budgeted in the 2021 budget that were included in the 2022 budget to further lower assessment amounts. Rohret noted this preliminary budget will be reviewed and brought before the board in November if changes can be made to lower assessments.

*Motion made by Commissioner Miron, seconded by Commissioner Wolf to approve the 2022 MESB operational budget. Motion carried.*

### Roll call for approval of agenda item 7B

Name	County/City	Yes	No
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	

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Hamann-Roland, M.	Dakota		
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne	X	
Wolf, T.	Scott	X	

Yea: 14    Nay: 0    Motion passes.

### C. Approval of 2022-2026 MESB Capital Budget

Rohret said the 2022-2026 MESB capital budget is similar to previously approved capital budgets. She explained the items included in the budget and that some 9-1-1 items could be included in the state's RFP for 9-1-1 cores services.

*Motion made by Commissioner Wolf, seconded by Commissioner Anderson to approve the 2022-2026 MESB capital budget. Motion carried.*

### Roll call for approval of agenda item 7C

Name	County/City	Yes	No
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne		
Wolf, T.	Scott	X	

Yea: 13    Nay: 0    Motion passes.

### D. Approval of 2022-2026 MESB Joint Powers Agreement

Rohret said the current JPA expires on December 31, 2021. Staff and counsel have developed a draft 2022-2026 MESB joint powers agreement. The primary changes being proposed include adding Sherburne County and updating the number of metro counties to ten. Also added was a broadly worded provision to the Board's 9-1-1 powers dealing with Computer-Aided-Dispatch; this power would only be invoked upon action by the board. Currently the board has no authority over CAD. If this action is approved today, each of the MESB counties will be sent the amended JPA for signature, which needs to be accomplished by December 31, 2021.

*Motion made by Commissioner Wolf, seconded by Commissioner McDonough to approve the 2022-2026 MESB joint powers agreement. Motion carried.*

## METROPOLITAN EMERGENCY SERVICES BOARD

### Roll call for approval of agenda item 7D

Name	County/City	Yes	No
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne		
Wolf, T.	Scott	X	

Yea: 13 Nay: 0 Motion passes.

### E. Approval of New MESB Policy 034 – Telework

Rohret said the MESB Executive Committee recommends approval of new MESB policy 034 - Telework. During the pandemic, working at home proved successful for the MESB staff. MESB borrowed heavily from the Dakota County policy. The work arrangements will vary from employee to employee, but the policy is meant to be put in place should the need arise to work from home due to weather or other circumstances.

*Motion made by Commissioner Matascastillo, seconded by Commissioner Anderson to approve the new MESB Policy 034. Motion carried.*

### Roll call for approval of agenda item 7E

Name	County/City	Yes	No
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		
Matascastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne		
Wolf, T.	Scott	X	

Yea: 13 Nay: 0 Motion passes.

## 8. Reports

# METROPOLITAN EMERGENCY SERVICES BOARD

## A. Legislative

Margaret Vesel presented the 2021 legislative summary. She noted that within the public safety bill, there were language changes in Statute 403 to reflect current composition of the MESB, and a working group formed to study the re-classification of 9-1-1 operators.

Vesel said that EMS funding was addressed within the Health and Human Services bill. There was an \$800,000.00 appropriation to the eight regions for years 2022 and 2023, \$100,000.00 per region, per year. She noted that there was also about \$200,000.00 that had not been allocated from the EMSRB that would be used for volunteer training.

Vesel said the 9-1-1 fee was lowered per statute now that the ARMER bonds are paid.

## B. Statewide Emergency Communications Board (SECB) Reports:

### 1. Finance

Fredrick said the Finance Committee met last week. The 9-1-1 fee diversion strike force was discussed. The LMR funding group meets this afternoon.

### 2. Legislative

Rohret said the Legislative Committee met this month. She noted that the FCC minimally broadened the definition of how 9-1-1 funds can be used.

### 3. Steering

Commissioner Fernando said the committee will meet this afternoon. A framework for strategic planning has been adopted. Timelines have shifted to enable counties to see the plan in full.

### 4. Other SECB Committees – no update

### 5. SECB

Commissioner Matascastillo said the SECB is to meet virtually until further notice.

### 9. Old Business – None

### 10. New Business

Rohret said there will be a retirement reception for Pete Eggimann after the board meeting on September 8, 2021.

### 11. Adjournment

*Motion made by Commissioner Wolf, seconded by Commissioner Fernando to adjourn. Motion carried.*

### Roll call for adjournment

Name	County/City	Yes	No
Anderson, G.	Isanti	X	
Beer, D.	Scott	X	
Degler, G.	Carver	X	
Fahey, J.	Carver		
Fernando, I.	Hennepin	X	
Gamache, M.	Anoka	X	
Greene, R	Chisago	X	
Hamann-Roland, M.	Dakota		
Johnson, W.	Washington	X	
LaTondresse, C.	Hennepin		

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MatasCastillo, T.	Ramsey	X	
McDonough, J.	Ramsey	X	
Meisner, M.	Anoka		
Miron, F.	Washington	X	
Schmiesing, F.	Sherburne		
Wolf, T.	Scott	X	

Yea: 13 Nay: 0 Motion passes.

The meeting adjourned at 11:08 a.m.

DRAFT







METROPOLITAN  
EMERGENCY SERVICES BOARD

2099 UNIVERSITY AVENUE WEST  
SAINT PAUL, MINNESOTA  
55104-3431

PHONE 651-643-8395  
WWW.MN-MESB.ORG

TO: Metropolitan Emergency Services Board

FROM: Ramsey County Commissioner Trista Matascastillo, MESB Treasurer

RE: Treasurer's Report – June 2021

DATE: July 29, 2021

As Treasurer for the Metropolitan Emergency Services Board it is necessary to review the following documents:

- Monthly summary financial reports for Administration, 9-1-1, Radio and EMS
- Explanation for significant variance from budget report for Administration, 9-1-1, Radio and EMS.

The review was conducted on July 29, 2021.

Sincerely,

Trista Matascastillo  
Commissioner, Ramsey County  
Treasurer, Metropolitan Emergency Services Board





METROPOLITAN  
EMERGENCY SERVICES BOARD

2099 UNIVERSITY AVENUE WEST  
SAINT PAUL, MINNESOTA  
55104-3431

PHONE 651-643-8395  
WWW.MN-MESB.ORG

TO: Metropolitan Emergency Services Board

FROM: Ramsey County Commissioner Trista Matascastillo, MESB Treasurer

RE: Treasurer's Report – July 2021

DATE: August 31, 2021

As Treasurer for the Metropolitan Emergency Services Board it is necessary to review the following documents:

- Monthly summary financial reports for Administration, 9-1-1, Radio and EMS
- Explanation for significant variance from budget report for Administration, 9-1-1, Radio and EMS.

The review was conducted on August 30, 2021.

Sincerely,

Trista Matascastillo  
Commissioner, Ramsey County  
Treasurer, Metropolitan Emergency Services Board





METROPOLITAN  
EMERGENCY SERVICES BOARD

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July 15, 2020

Ms. Jeni Reynolds  
Senior Administrative Coordinator  
Dakota County  
1590 Highway 55  
Hastings, MN 55033

Dear Ms. Reynolds:

In accordance with section 3 of the joint powers agreement which formed the Metropolitan Emergency Services Board (MESB), the MESB must notify its member entities annually by August 1 of the maximum assessment amount for the following year. This value should be used in the county's budgeting process.

Enclosed is a chart which delineates the maximum assessment amount Dakota County will be allocated for 2021 MESB operating expenses. The invoice for the actual assessment amount due will be mailed in December.

Please contact me with any questions at (651) 643-8394 or [jrohret@mn-mesb.org](mailto:jrohret@mn-mesb.org).

Thank you for your time and consideration.

Sincerely,

Jill Rohret  
Executive Director

Enclosure

cc: Mr. BJ Battig  
Commissioner Tom Egan  
Commissioner Mary Liz Holberg

**MESB BOARD ASSESSMENT SCHEDULE 2021 BUDGET - APPROVED 7.08.20**

**METROPOLITAN EMERGENCY SERVICES BOARD --- ASSESSMENT TO MEMBERS**

	2018	% of 2018	APPROVED 2021 DUES	2018	% of 2018	APPROVED 2021 DUES		
COUNTY	Population for Radio Admin.	Population for Radio Admin	Radio. Admin	Population for Operational Admin.	Population for Oper. Admin	Oper. Admin	2021 ASSESSMENT TOTAL	2020 ASSESSMENT TOTAL
Dakota	428,558	12.97%	\$27,759	428,558	12.97%	\$138,687	\$166,446	\$166,151
TOTAL	3,305,433	100.00%	\$214,104	3,305,433	100.00%	\$1,069,679	\$1,283,783	\$1,283,812



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July 14, 2021

Mr. David Jones  
Mission Critical Partners, LLC.  
690 Gray's Woods Blvd.  
Port Matilda, PA 16870

Dear Mr. Jones:

Thank you for the proposal submitted in response to the Metropolitan Emergency Services Board's Request for Proposals for an NG9-1-1 Transition Plan. The thought Mission Critical Partners put into the response was appreciated.

I regret to inform you that your proposal was not chosen for this project. I do hope that the Metropolitan Emergency Services Board will get to work with you and your firm in the future.

Thank you for your interest in this project.

Sincerely,

Jill Rohret  
Executive Director







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PHONE 651-643-8395  
WWW.MN-MESB.ORG

July 14, 2021

Mr. Andrew Reece  
Winbourne Consulting, LLC.  
1621 N. Kent St., Suite 704  
Arlington, VA 22203

Dear Mr. Reece:

Thank you for the proposal submitted in response to the Metropolitan Emergency Services Board's Request for Proposals for an NG9-1-1 Transition Plan. The thought Winbourne Consulting put into the response was appreciated.

I regret to inform you that your proposal was not chosen for this project. I do hope that the Metropolitan Emergency Services Board will get to work with you and your firm in the future.

Thank you for your interest in this project.

Sincerely,

Jill Rohret  
Executive Director

**Civil Unrest AAR**  
**Recommendation Status**  
**Updated 8/24/2021**

Tracking #	Recommendation	Person/Agency Responsible	Status
1	Establish the governance structure, on-going funding model, training, and procedures to deploy and utilize 9-1-1 call workload sharing between cooperating .	PSAPs/Cities/Counties/MESB	06/24 - The WG used the survey results to prepare a recommendation and request to the MESB Board to issue an RFP for professional and technical consulting services to help the WG prepare an RFP for the procurement and implementation of a workload sharing solution. The consultant will also assist in the preparation of cooperative agreements and assist in developing a funding / cost sharing plan for the procurement and ongoing operation of the system. The 9-1-1 TOC reviewed and endorsed the workgroup recommendation, which will be on the July MESB Board agenda. 08/24/21 The RFP for professional and technical services from a consultant to assist the WG with the implementation and funding steps necessary to get a system in place closed for responses on August 20, and no vendors responded. The WG and staff will review the RFP requirements to determine if there is something in the RFP itself that discouraged vendors from responding or if additional advertising is needed to make sure vendors are aware of the RFP, or both.
2	Identify and implement workload sharing applications that will permit 9-1-1 calls to overflow to neighboring ECCs which have agreed to work together cooperatively, permitting calls to be answered, triaged, classified (type or nature code assignment), and sent electronically into the original destination ECC's CAD dispatch queue, permitting the original destination ECC to coordinate the emergency response to incidents within its jurisdiction.	PSAPs/Cities/Counties/MESB	(combined with #1)
3	Identify and implement workload sharing applications that will establish a regional CAD incident display map showing the location of emergency responders (both personnel and units) and incidents in progress, permitting the appropriate personnel to have a big picture understanding of what is happening at the regional level in real time.	PSAPs/Cities/Counties/MESB	(combined with #1)

4	Identify telecommunicator resources to support any ECC personnel that have been involved in prolonged or horrific emergency events and may not recognize the extent they have been impacted mentally and emotionally, and those that recognize they need help.	9-1-1 TOC/MESB	<p>06/24/21 - Moetivations is currently presenting three different train-the-trainer course options, with each option being presented on three separate occasions to accommodate the PSAP trainer personnel schedules during the month of June. All of the sessions include training for increasing telecommunicator resiliency, reducing stress, and improved physical health, with the three different options each designed to meet the needs of the individual PSAPs as identified in the surveys conducted earlier. The training sessions are being recorded and will be available to the PSAPs online. Moetivations live training is expected to be complete by June 25.</p> <p>08/24/21 The Moetivations training was completed in June. At the August 911 TOC meeting the committee decided to request additional grant funding to continue to develop telecommunicator resiliency programs at each of the regional PSAPs in 2022.</p>
5	Establish procedures to support the use and staffing of community tip lines that do not terminate in or interfere with ECC operations or negatively impact the 9-1-1 system whenever law enforcement or fire establish a joint command facility (e.g. MACC).	PSAPS/Cities/Counties/Other agencies	06/24 - The recommendation to not terminate community tip lines at ECCs was included in the Operation Safety Net (OSN) planning in February and March. An after action report is now being prepared regarding the OSN planning and implementation. The information from that report may become the basis for the development of a regional standard that addresses the use of tip lines that do not interfere in ongoing ECC operations.
6	Establish or update an existing metro region 9-1-1 standard to block "anonymous" calls to admin lines that terminate in the ECC to reduce harassing, abusive, or denial of service attack calls that can negatively impact ECC operations.	9-1-1 TOC/PSAPs/MESB	Not started

7	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>a. Response agency command staff need to be trained on the existence and need/use of the Metro Region Communications Response Task Force (CRTF).</p> <p>i. Command staff turnover is a problem; special training directed specifically for command staff should be developed.</p>	CRTF/Duty Officer/Statewide Training	<p>INTD/INCM training was provided in March 2021 specifically directed towards those who may be called in for response to Civil Unrest. Many Metro telecommunicators were also in attendance at a FEMA INTD course held in mid-June 2021. A metro-specific telecommunicator class is being developed currently. Several Metro CRTF members are attending a statewide drill held in August 2021 to get experience with emergent activities. Additionally, 3 metro members have been invited to participate in a COML course in Fall 2021.</p>
8	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>a. Response agency command staff need to be trained on the existence and need/use of the Metro Region Communications Response Task Force (CRTF).</p> <p>ii. Include State Duty Officer training to assist in understanding the communications resources and processes to be utilized as part of the ICS structure.</p>	CRTF/Duty Officer	<p>As of March 2021, the Duty Officer position at BCA has been identified to only be for use in statewide emergencies in which a state agency is impacted; it will no longer be directing activities for regional activities. DPS-ECN has come up with a process to contact the SWIC for such emergencies. As such, this line item may be deleted, or changed to reflect the new process.</p>
9	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>b. Build relationships between the CRTF and agency command staff.</p>	CRTF/Metro EM Agencies	<p>CRTF Steering Team has begun having internal meetings in their own entities, doing more outreach to partner entities.</p>

10	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>c. Ensure that ECC management personnel are included in all EOC/MACC operations at the same level, and at the same time, as law enforcement, fire, and EMS management personnel are included.</p>	MESB, HSEM	Pre-planning for the spring 2021 trial seemed to go more smoothly. There is still some room for opportunity with the other upcoming trials.
11	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>d. Include COMU representatives at the MACC at the beginning of MACC operations.</p>	CRTF/Duty Officer/MACC	Pre-planning for the spring 2021 trial (Operation Safety Net) seemed to go more smoothly. There is still some room for opportunity with the other upcoming trials.
12	Create or update an existing standard to require ARMER talkgroups to be labeled using the same talkgroup names system wide. Currently, different agencies label the same talkgroup by different names.	Radio TOC Standards Workgroup/Statewide Standards Workgroup	MESB standards workgroup and state standards workgroup discussed in November 2020. System limitations make this difficult to do. Have also brought forward to State standards planning; still in discussion.
13	Conduct on-going ARMER training for law enforcement, fire, and EMS responders, both for new-hires and as part of regular in-service training, as required in SECB Standards LMR-29, LMR-30, and LMR-31.		Videos posted to MESB site in October 2020. On-going training statewide being discussed.
14	Create better advertisement of available resources, such as equipment caches, CRTF, etc. at a state level.	Duty Officer/MACC/CRTF	As of March 2021, current SWIC is aware of resources and how to deploy. See also #8.
15	Identify regional, or statewide, EOC or MACC locations that can be properly equipped in advance.	HSEM	Not started
16	Establish regional communications plans that can be practiced and implemented by the appropriate COMLs as soon as an incident escalates into a multi-agency, multi-jurisdictional event. This should be incorporated into the ICS implementation plans but could be activated before the ICS structure is established beyond the initial response. This response should also include the distribution of a consolidated ICS 205 form and can include additional forms in the future, such as an ICS 205a or ICS 217 form.	CRTF	Metro has these common forms on the ARMER standards page and the CRTF page. Current method for distribution of region-wide ICS205s is to send through the Radio Services Coordinator.

17	<p>Create or update an existing metro region ARMER standard that recommends requesting the deployment of CRTF resources when an incident escalates to include multi-jurisdiction coordination or multi-agency responses from more than one ECC service area. This should not be dependent on whether law enforcement or fire establish a joint command facility (e.g. MACC).</p> <p>a. Define how CRTF is activated.</p> <p>b. Notify the State Duty Officer as soon as a request to deploy the CRTF is received.</p> <p>c. Ensure the State Duty Officer documentation related to CRTF deployment is current.</p> <p>d. Define how the regional ECCs will be notified.</p>	Radio TOC Standards Workgroup/CRTF	Updated Large Event Communications Standard 3.21.0; approved by MESB Board September 2020. Approved new event standard July 2021.
18	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>a. Response agency command staff need to be educated on the existence and need/use of the CRTF.</p> <p>i. Command staff turnover is a problem; special training directed specifically for command staff be should be developed.</p> <p>ii. Include State Duty Officer training to assist in understanding the communications resources and processes to be utilized as part of the ICS structure.</p>	CRTF/Duty Officer/Metro EM Agencies	See #8.
19	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>b. Build relationships between the CRTF and agency command staff.</p>	CRTF/Agency Command Staff	See #9

20	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>c. During the event, some agency heads expressed concern that their responders would not be able to find the talkgroups specified in the ICS 205s on their radio.</p>	CRTF/Metro COML	<p>This concern is also part of the on-going training mentioned in other areas of recommendation. Videos and documents have been added to the MESB website as of October 2020, and on-going training at a state level is being discussed in several workgroups.</p>
21	<p>Provide training to agency heads and elected officials regarding the role of the emergency communications centers and COMLs in the emergency response continuum. Work together with other emergency responder agencies to include an emergency communications and response coordination training module to be incorporated into new hire training, as well as in-service training, provided by the law enforcement, fire, and EMS agencies to their staff.</p> <p>d. Add the MESB's ARMER training video on changing zones on subscriber units uploaded to the MESB website. (As of the final draft of this document, this video is available on the MESB's website and the link has been distributed to metro region ARMER system administrators.)</p>	MESB	Complete, October 2020
22	<p>For jurisdictions where there are separate management structures for 911 and ARMER, regular coordination meetings need to be established so that the two teams identify issues proactively and work together to address the issues. This coordination should include contingency planning for system failures and multi-agency events.</p>	Regional Emergency Communications Boards	Not started
23	<p>Establish a timeline for requiring encryption-capable radios for response agencies within the metro area.</p>	Cities/Counties/Radio TOC/MESB/Regional Emergency Communications Boards	Change Management group has begun meeting; May 2021 - Encryption Best Practices guide has been approved and posted.







## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:**

**September 8, 2021**

**Agenda Item:**

**4A. Approval of 2022 Regional  
Funding Priorities**

**Presenter:**

**Eggimann/Fredrick**

### **RECOMMENDATION**

The 9-1-1 TOC recommends including the following items as regional funding priorities for grants available in 2022 (in priority order):

1. Workload Sharing and Regional Situational Awareness System Implementation
2. COM-L Train-the-Trainer Training
3. Mental Health Call Handling Statutory Compliance – Training, Resource Identification, Policy/Procedure Development
4. PSAP Abandonment – Emergency Communications Equipment Cache
5. Telecommunicator Resiliency Training / Program Development Cost Reimbursement

The Radio TOC recommends including the following items as regional funding priorities for grants available in 2021 (in priority order):

- Vendor-provided technical training
- Communications Response Task Force (CRTF) training/exercise
- Assistance to attend the 2021 Public Safety Communications Conference
- Creation of an updated ARMER training video
- Purchase of laptop radio consoles to be used throughout the region
- Funding local Bi-directional amplifier (BDA) requests
- Additional MCC7500e laptops to join current five agency consortium
- Upgrading MCC7500s
- AES Encryption
- T1 to ethernet backhaul infrastructure costs

### **BACKGROUND**

Emergency Communication Networks (ECN) Division and the Statewide Emergency Communications Board (SECB) require regions to annually approve regional funding priorities. These priorities are to include projects/items/concepts for which regions can apply for grant funds through the SECB process. In the past, grants were only open to radio projects.

### **ISSUES & CONCERNS**

9-1-1 projects are now eligible for grant funding. Due to this, both the 9-1-1 TOC and the Radio

MOTION BY:

SECONDED BY:

MOTION:

PASS/FAIL



## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:**

**September 8, 2021**

**Agenda Item:**

**4A. Approval of 2022 Regional  
Funding Priorities**

**Presenter:**

**Eggimann/Fredrick**

TOC develop their lists of regional funding priorities. Grants are structured so that both 9-1-1 and radio projects apply for the same grant funds and are included in the same competitive structure.

State grant objectives and SECB funding hierarchy will determine which projects MESB staff will include in the grant applications. Generally, staff applies for the highest priority project from both areas.

### **FINANCIAL IMPACT**

None to the MESB other than staff time to apply for and process grants. Equipment will likely require a 50% match from the awarded agency.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL



## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:** September 8, 2021  
**Agenda Item:** 5A. Ratification of Appointments to 9-1-1  
Telecommunicator Reclassification Work Group  
**Presenter:** Eggimann/Mihelich

### **RECOMMENDATION**

The 9-1-1 Technical Operations Committee (TOC) recommends the Board ratify the appointments to the 9-1-1 Telecommunicator Reclassification Work Group made by the Chair.

### **BACKGROUND**

Included in the 2021 Public Safety Omnibus bill was language relating to the creation of a state work group to discuss and determine whether or not 9-1-1 telecommunicators should be re-classified as first responders, rather than clerical workers.

### **ISSUES & CONCERNS**

The law required the MESB to make two appointments to the work group and send them to the Commissioner of Public Safety by July 30, 2021.

The 9-1-1 TOC recommended appointing LaVae Robinson, PSAP Supervisor for the Bloomington Police Department and Katie Sjolander, dispatcher with the Eden Prairie Police Department.

There was an additional seat for a non-supervisory telecommunicator from the seven-county metro region. According to DPS, this was not an appointment for the MESB to make; however, two names were recommended by the 9-1-1 TOC for this position, Barb O'Neill of Allina Health EMS and Amy Sizer of the Minneapolis Emergency Communications Center.

MESB bylaws are silent on how these types of appointments are to be made. Given the stringent timeline required by statute for these appointments, upon the recommendation of counsel, the Chair made the appointments and recommendations subject to ratification by the Board.

### **FINANCIAL IMPACT**

None to the MESB.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL

**From:** [Nimlos, Aleta \(DPS\)](#)  
**Cc:** [Wahlberg, Dana \(DPS\)](#); [Clark, Cathy \(DPS\)](#)  
**Subject:** [EXTERNAL] Time-Sensitive: Important Message from Dana Wahlberg, Director of Emergency Communication Networks  
**Date:** Friday, July 16, 2021 4:01:28 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[Telecommunicator Working Group.pdf](#)  
**Importance:** High

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On behalf of Dana Wahlberg, Director of Emergency Communication Networks:

Esteemed Colleagues,

The Department of Public Safety division of Emergency Communication Networks (DPS-ECN), on behalf of the commissioner of public safety, has been tasked with supporting the 911 Telecommunicator Working Group approved by the legislature in June 2021. The duty of the 911 Telecommunicator Working Group is to prepare a report detailing a series of recommendations due Jan. 15, 2022, to the chairs and ranking minority members of the legislative committees that oversee public safety policy and finance.

The 911 Telecommunicator Working Group will include representation from 15 organizations, including yours. According to the statute, **each organization named is to provide the commissioner of public safety a designated member to serve on the working group by July 30, 2021.** The commissioner will appointment these members to the working group by Aug. 15, and the first meeting will convene by Sept. 15.

As this is a voluntary commitment, all members will serve without compensation.

Please refer to the attached copy of the legislation showing the organizations listed under membership of the working group. **We request that your organization submit nominee information for membership on the working group no later than Friday, July 30, 2021.**

Please send your organization's nominee information to [Aleta Nimlos](#) at ECN and cc: [ECN@state.mn.us](mailto:ECN@state.mn.us) by the July 30 deadline.

If you have questions, please email 911 Program Manager [Sandi Stroud](#) at DPS-ECN or call her at 651-201-7551.

Thank you very much for your attention to this important matter. We look forward to hearing from you by July 30.

Sincerely,

Dana Wahlberg  
Director, Emergency Communication Networks

Aleta S. Nimlos, M.A. | Executive Assistant/OAS-Sr.  
Emergency Communication Networks | Minnesota Department of Public Safety  
[ecn.dps.mn.gov](http://ecn.dps.mn.gov) | 651-201-7547 Office | 612-791-7079 Cell

[Follow DPS](#)

## Telecommunicator Working Group

### **911 TELECOMMUNICATOR WORKING GROUP.**

#### Subdivision 1.

#### **Membership.**

(a) The commissioner of public safety shall convene a 911 telecommunicator working group that consists of the commissioner, or a designee, and one representative of each of the following organizations:

- (1) the Minnesota Chiefs of Police Association;
- (2) the Minnesota Sheriffs' Association;
- (3) the Minnesota Police and Peace Officers Association;
- (4) the Emergency Communications Network;
- (5) the Minnesota State Fire Chiefs Association;
- (6) the Association of Minnesota Counties;
- (7) the League of Minnesota Cities;
- (8) Tribal dispatchers;
- (9) the Metropolitan Emergency Services Board;
- (10) the Emergency Medical Services Regulatory Board;
- (11) the Statewide Emergency Communications Board;
- (12) each of the Statewide Emergency Communications Board's seven regional boards;
- (13) mental health crisis team providers;
- (14) the Minnesota Association of Public Safety Communications Officials (MN APCO) and the National Emergency Number Association of Minnesota (NENA of MN); and
- (15) the Minnesota Ambulance Association.

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

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

## Telecommunicator Working Group

### Subd. 2.

#### **Duties; report.**

The working group must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety policy and finance by January 15, 2022. The report must:

- (1) recommend a statutory definition of 911 telecommunicators;
- (2) recommend minimum training and continuing education standards for certification of 911 telecommunicators;
- (3) recommend standards for certification of 911 telecommunicators;
- (4) recommend funding options for mandated 911 telecommunicators training;
- (5) recommend best practices in incident response command structure for the state's first responders to implement that do not violate either the United States or Minnesota Constitutions, after reviewing the various incident response command structures used in the field across the nation and world; and
- (6) provide other recommendations the working group deems appropriate.

### Subd. 3.

#### **First meeting; chair.**

The commissioner of public safety must convene the first meeting of the working group by September 15, 2021. At the first meeting, the members must elect a chair. The working group may conduct meetings remotely. The chair shall be responsible for document management of materials for the working group.

### Subd. 4.

#### **Compensation; reimbursement.**

Members serve without compensation.

### Subd. 5.

#### **Administrative support.**

The commissioner of public safety must provide administrative support to the working group.

### Subd. 6.

#### **Expiration.**

The working group expires January 15, 2022.

## Telecommunicator Working Group

### **EFFECTIVE DATE.**

This section is effective the day following final enactment.





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55104-3431

PHONE 651-643-8395  
WWW.MN-MESB.ORG

July 26, 2021

**VIA ELECTRONIC MAIL**

Commissioner John Harrington  
Minnesota Department of Public Safety  
445 Minnesota Street, Suite 1000  
St. Paul, MN 55101

Dear Commissioner Harrington:

Per the Public Safety Omnibus bill passed in June 2021, the Metropolitan Emergency Services Board (MESB) is to provide two nominations to the 911 Telecommunicator Working Group.

Filling the seat identified under Subdivision 1, paragraph a, line 9, a representative of the Metropolitan Emergency Services Board, the MESB appoints LaVae Robinson, PSAP Supervisor for the City of Bloomington Police Department.

Filling the seat identified under Subdivision 1, paragraph a, line 12, a representative of each of the SECB's seven regional boards, the MESB appoints Katie Sjolander, a dispatcher with the Eden Prairie Police Department.

Contact information for both MESB appointees is included in an attachment to this letter.

Additionally, Subdivision 1, paragraph b states that an appointment is to be made for a non-supervisory telecommunicator from the seven-county metropolitan area. Though the MESB was not given the authority to make that nomination, there are two candidates being recommended by the MESB. Those candidates are Barb O'Neill of Allina Health EMS, and Amy Sizer of the Minneapolis Emergency Communications Center. Letters of interest from both of these candidates are included as attachments to this letter.

Should you have any questions about the MESB appointees or other candidates, please contact Jill Rohret, MESB Executive Director at (651) 643-8394 or [jrohret@mn-mesb.org](mailto:jrohret@mn-mesb.org).

Thank you for your time and considerations.

Sincerely,

Joe Atkins  
MESB Chair

Enclosures (4)

## **MESB Nominations**

LaVae Robinson  
Bloomington Police Department  
1800 W. Old Shakopee Road  
Bloomington, MN 55431  
(952) 563-8805  
[lrobinson@bloomingtonmn.gov](mailto:lrobinson@bloomingtonmn.gov)

Katie Sjolander  
Eden Prairie Police Department  
8080 Mitchell Road  
Eden Prairie, MN 55344  
(952) 237-6563  
[ksjolander@edenprairie.org](mailto:ksjolander@edenprairie.org)

## **MESB Recommendations for Non-Supervisory Telecommunicator from Seven-County Metro**

Barb O'Neill  
Allina Health EMS  
167 Grand Avenue  
St. Paul, MN 55102  
(651) 246-2520  
Barbara.O'Neill@allina.com  
[oneillbj@gmail.com](mailto:oneillbj@gmail.com) (preferred email)

Amy Sizer  
Minneapolis Emergency Communications Center  
350 S. Fifth Street, Room B911  
Minneapolis, MN 55415  
(612) 236-8050  
[amy.sizer@minneapolismn.gov](mailto:amy.sizer@minneapolismn.gov)

**From:** [O'Neill, Barbara J](#)  
**To:** [Pete Eggimann](#)  
**Subject:** [EXTERNAL] [SPF FAIL] Letter of Interest for Metro Area 911 Telecommunicator Work Group  
**Date:** Tuesday, July 20, 2021 11:48:59 AM

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Hello Pete,

I am extremely interested in becoming a member of the 911 Telecommunicator Work Group that will be tasked with creating the recommended definitions, standards, and training for 911 Telecommunicators and Dispatchers in Minnesota. I am currently an EMS Dispatcher with Allina Health in the Twin Cities metro area and outstate regions. My experience also includes three years with the Anoka County Emergency Communications Center, working as a Telecommunicator, Police Dispatcher, Data Channel Dispatcher, and Fire Dispatcher; and five years as a Public Safety/Law Enforcement Dispatcher with Ramsey County. I have been a trainer and mentor for other Dispatchers in both Anoka County and Ramsey County as well.

Along with my dispatch partners, I have worked many high profile, intense and high stress situations, including Philando Castile's death in Falcon Heights along with the ensuing protests and riots in Saint Paul, hundreds of police pursuits, SWAT calls, the MN State Fair, during and through the COVID 19 pandemic, the death of George Floyd and subsequent riots and protests throughout the metro area, heavy weather situations, technical issues, a 911 phone number outage, mutual aid incidents, and a wide variety of other events and calls.

I continue to be amazed at the level of expertise and professionalism shown by my dispatch partners on a daily basis. The knowledge, skills, and abilities required to do the job well, along with the compassion and empathy to provide the highest level of service to our callers while doing everything we can to keep our responders safe is notable and I am humbled to be among such a hard-working and highly skilled group.

I would be honored to be considered to represent my partners in dispatch on the 911 Telecommunicator Work Group. I look forward to speaking further with you regarding this opportunity.

Thank you,  
Barb O'Neill



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My name is Amy Sizer and I am an Emergency Dispatcher for the City of Minneapolis for the last 17 years. I began as a 911 call taker in 2004 and promoted to police and fire dispatcher in 2006. I continually seek out opportunities to learn and further my knowledge of the newest 911 standards. I have completed ARMER courses to gain knowledge of radio functions and standards. I have participated in numerous Federal Emergency Management (FEMA) course and received my Incident Tactical Dispatcher (INTD) Certification in 2017. I am a member of the Association of Public-Safety Communications Officials (APCO) and am a certified training officer. I am on multiple committees such as the Labor Management Committee (LMC), Culture Team, Health and Safety Committee, Policy and Procedure Workgroup, Active Shooter Workgroup, MECC-EMS Workgroup, Behavioral Health Pilot Workgroup and am a Minnesota Public Employees Association (MNPEA) Union Steward.

As a dispatcher, I have handled several large-scale events. I am on a tactical dispatch team that dispatches for special events at US Bank Stadium. I have dispatched for music concerts and sporting events, including the 2016 NFL Super Bowl and 2018 NCAA Final Four. I have spent most of my career at Minneapolis working evenings and overnights. These are the peak times for crime and disturbances which can lead to extremely busy nights. On top of already busy hours, this past year Minneapolis has seen a rise in violence and civil unrest. During the height of the rioting in Minneapolis and the nights of civil unrest that followed; I was the appointed detail dispatcher. Recently I was specifically requested to be the tactical dispatcher for a Focused Enforcement Detail with the Minneapolis Police Department, Hennepin County VOTF, Hennepin County Probation and Federal partners to include the ATF and HSI Special Agents. My calm demeanor, accuracy and efficiency are the exact skills required to handle such fluid and dangerous incidents. I have, also, assisted with training new Minneapolis Police officers in the Academy for several years by assisting with radio and scenario training.

While not on the clock, I give my personal time to supporting the men and women of the Minneapolis Police Department. I am the President of the Minneapolis Mounted Police Foundation. The organization raises funds to support the housing and care of the horses that are part of the mounted patrol. I am the Vice President of the Minneapolis Police Honor Guard and Color Guard Foundation. This foundation supports teams of officers who travel the nation to pay respects to officers killed in the line of duty. I also serve on the board of the Minneapolis Police K9 Foundation, supporting the purchase, medical, and continuing care of the canines used by the Minneapolis Police. These organizations work to serve the community and build relationships with the residents of the City of Minneapolis.

With over 17 years' experience as a 911 dispatcher in the state's largest PSAP, I believe I would be a valuable 9-1-1 representative. I have vast knowledge of policies, procedures and protocol that have proven successful in a 9-1-1 call center. I am dedicated to maintaining high professional standards for all in our industry. My experience with working on different boards as well as with a diverse group of people would be beneficial to this work group as well. I welcome the opportunity to work with others creating recommendations for 9-1-1 Telecommunicators in the state of Minnesota.



## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:**

**September 8, 2021**

**Agenda Item:**

**6A. Award of RFP for EMS  
Leadership Development**

**Presenter:**

**Robinson**

### **RECOMMENDATION**

Staff recommend the Board award the RFP for EMS Leadership Development to Above the Line (ATL) Leaders International for FY2022-2023 EMS leadership development training.

### **BACKGROUND**

In 2017, the Board approved a request from the EMS Technical Operations Committee (TOC) to include an EMS leadership development program within the FY2018-2019 EMSRB grant budgets. The MESB issued an RFP in August 2017 for a 20-month EMS leadership development program; the RFP was awarded to Above the Line Leaders International (ATL). ATL's agreement was extended to include training in the FY2020-2021 EMSRB grants.

### **ISSUES & CONCERNS**

The MESB issued an RFP in July 2021 for a qualified leadership training contractor to provide a leadership development and mentoring program for emergency medical services (EMS) personnel; one proposal was received from ATL.

### **FINANCIAL IMPACT**

ATL's proposal is a cost of \$26,100.00 per year, or \$52,200.00 for the FY2022-2023 grant term. The training was included in Metro Region EMS' FY2022-2023 EMSRB grants budget. The grant is a reimbursement grant, so the MESB will pay the invoices and be reimbursed later.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL





## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:** September 8, 2021  
**Agenda Item:** 6B. Acceptance of New EMSRB Grant  
for Continuing Education  
**Presenter:** Robinson

### **RECOMMENDATION**

Staff recommends the Board accept the new Emergency Medical Services Regulatory Board (EMSRB) grant for continuing education for fiscal years 2022-2023 in the amount of \$73,125.00.

### **BACKGROUND**

The EMSRB provides a Support Grant to each of the eight (8) EMS regions on a bi-annual basis. In previous years, the EMS System Support Grant combined funding for Minnesota Statutes 144E.50 and 144E.52.

### **ISSUES & CONCERNS**

The 2021 Health and Human Services Omnibus bill included funding for the EMSRB grants. New in this bill was separating the traditional EMS Support Grant (MS 144E.50) from the new continuing education grant (MS 144E.52). The bill provided \$190,000 to the region for the FY2022-23 biennium for the support grant, which was accepted by the Board in July. Staff learned of the new continuing education grant after the July MESB meeting, thus this new grant was not formally accepted by the Board.

Staff developed a separate two-year workplan for the EMS Continuing Education Grant. The grant period is July 1, 2021 through June 30, 2023.

### **FINANCIAL IMPACT**

None to the MESB.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL

## STATE OF MINNESOTA GRANT CONTRACT AGREEMENT

This grant contract agreement is between the State of Minnesota acting through its **Emergency Medical Services Regulatory Board (EMSRB)**, ("STATE") and **The Metropolitan Emergency Services Board, 2099 University Avenue West, St. Paul, MN, 55104**, ("GRANTEE").

### Recitals

1. Under Minn. Stat. § 144E.05 the State is empowered to enter into this grant contract agreement.
2. Under Minn. Stat. § 144E.52 the State is authorized to distribute funds to Regional EMS Systems.
3. The State desires to develop, maintain and improve Regional EMS Systems throughout Minnesota.
4. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant contract agreement to the satisfaction of the State. Pursuant to Minn.Stat. §16B.98, Subd.1, the Grantee agrees to minimize administrative costs as a condition of this grant contract agreement.

### Grant Contract Agreement

#### 1. *Term of Grant Contract Agreement*

**1.1 Effective date:** July 1, 2021, Per Minn. Stat. §16B.98, Subd. 5, the Grantee must not begin work until this grant contract agreement is fully executed and the State's Authorized Representative has notified the Grantee that work may commence. Per Minn.Stat. §16B.98 Subd. 7, no payments will be made to the Grantee until this grant contract agreement is fully executed.

**1.2 Expiration date:** June 30, 2023, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

**1.3 Survival of Terms.** The following clauses survive the expiration or cancellation of this grant contract agreement: 8. Liability; 9. State Audits; 10. Government Data Practices and Intellectual Property; 12. Publicity and Endorsement; 13. Governing Law, Jurisdiction, and Venue; and 15. Data Disclosure.

#### 2. *Grantee's Duties*

The Grantee, who is not a state employee, will: Comply with required grants management policies and procedures set forth through Minn.Stat. §16B.97, Subd. 4 (a) (1).

The Grantee, who is not a state employee, will complete to the satisfaction of the State all of the duties set forth in Exhibit A (Grant Application Work Plan and Budget), which is attached hereto and incorporated into this agreement.



### 3. *Time*

The Grantee must comply with all the time requirements described in this grant contract agreement. In the performance of this grant contract agreement, time is of the essence and failure to meet a deadline may be a basis for a determination by the State's Authorized Representative that the Grantee has not complied with the terms of the agreement.

### 4. *Consideration and Payment*

**4.1 Consideration.** The State will pay for all services performed by the Grantee under this grant contract agreement as follows:

(a) **Compensation:** The Grantee will be paid on a reimbursement basis for actual expenses incurred during the grant period in performing the duties described in Exhibit A, which is attached and incorporated into this grant contract.

(b) **Travel Expenses:** Reimbursement for travel and subsistence expenses actually and necessarily incurred by the Grantee as a result of this grant contract agreement will be reimbursed in the same manner and in no greater amount than provided in the current "Commissioner's Plan" promulgated by the Commissioner of Minnesota Management and Budget (MMB). The Grantee will not be reimbursed for travel and subsistence expenses incurred outside Minnesota unless it has received the State's prior written approval for out of state travel. Minnesota will be considered the home state for determining whether travel is out of state.

(c) **Total Obligation:** The total obligation of the State for all compensation and reimbursements to the Grantee under this grant contract agreement will not exceed one hundred forty-six thousand two hundred fifty dollars [**\$146,250**] as detailed below:

a. **\$73,125.00** is appropriated for Fiscal Year 2021 (July 1, 2021 through June 30, 2022)

b. **\$73,125.00** is appropriated for Fiscal Year 2022 (July 1, 2022 through June 30, 2023)

#### **4.2 Payment**

##### **(a) Invoices**

The State will promptly pay the Grantee after the Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted timely and according to the following:

Invoices must be submitted quarterly, at minimum, and must be accompanied by documentation such as purchase orders, receipts, travel vouchers, and payroll records to substantiate all expenditures claimed on the invoice. The State maintains the right to seek and obtain additional information from the Grantee prior to paying Grantee for invoiced services.

##### **(b) Modification of Work Plan**

Modifications of the work plan (Exhibit A) without prior approval from the state will not be accepted or paid.

##### **(c) Unexpended Funds**

The Grantee must promptly return to the State any unexpended funds that have not been accounted for annually in a financial report to the State due at grant closeout.

The total obligation of the State for all compensation and reimbursements to the Grantee shall not exceed **\$146,250.00**.

#### **4.3 Contracting and Bidding Requirements**

- (a) Services and/or materials that are expected to cost between \$25,000 and \$99,999 must be competitively awarded based on a minimum of three (3) verbal quotes or bids.
- (b) Services and/or materials that are expected to cost between \$10,000 and \$24,999 must be competitively awarded based on a minimum of two (2) verbal quotes or bids or awarded to a targeted vendor.
- (c) The grantee must take all necessary affirmative steps to assure that targeted vendors from businesses with active certifications through these entities are used when possible:
  - i. [State Department of Administration's Certified Targeted Group, Economically Disadvantaged and Veteran-Owned Vendor List](#)
  - ii. Metropolitan Council Underutilized Business Program: MCUB: [Metropolitan Council Underutilized Business Program](#)
  - iii. Small Business Certification Program through Hennepin County, Ramsey County, and City of St. Paul: [Central Certification Directory](#)
- (d) The grantee must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.
- (e) The grantee must maintain support documentation of the purchasing or bidding process used to contract services in their financial records, including support documentation justifying a single/sole source bid, if applicable.
- (f) Notwithstanding (a) - (d) above, the State may waive bidding process requirements when it is determined there is only one legitimate or practical source for such materials or services and that grantee has established a fair and reasonable price.
- (g) For projects that include construction work of \$25,000 or more, prevailing wage rules apply per [Minn. Stat. §§177.41](#) through [177.44](#). These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole.
- (h) The grantee must not contract with vendors who are suspended or debarred in MN: <http://www.mmd.admin.state.mn.us/debarredreport.asp>

### **5. Conditions of Payment**

#### **5.1 Duties Must be Performed Satisfactorily.**

All services provided by the Grantee under this grant contract agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws,

ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

### ***5.2 Costs Not Included in Exhibit A.***

The Grantee shall not seek, nor shall the State pay, compensation to the Grantee for any indirect, overhead, lobbying costs to affect legislation, trade association memberships, regional conference expenses, or administrative costs not otherwise included in Exhibit A.

### ***5.3 Evaluation Reporting.***

Payments to the Grantee under this contract may be withheld if the Grantee fails to observe deadlines for the submission of reports as specified in clause 16.1 of the contract.

## ***6. Authorized Representative***

**6.1 State's Authorized Representative:** The State's authorized representative for executing this contract and/or amendment is J.B. Guiton, Board Chair, EMSRB, 335 Randolph Avenue, Suite 220, St. Paul, MN 55102, (651) 201-2800, [jb.guiton@state.mn.us](mailto:jb.guiton@state.mn.us) or his/her successor, and has the responsibility for management of and to monitor the Grantee's performance and the authority to accept or reject invoices for services provided under this grant contract agreement. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

**6.2 The Grantee's Authorized Representative:** The Grantee's Authorized Representative(s) for executing the contract is **Joe Atkins, Dakota County Board Member, Metropolitan Emergency Services Board, Chair, Dakota County Administration Center, 1590 Highway 55, Hastings, MN 55033-2343, 651-438-4430 (office).** The grantee's representative for management of the grant is: **Ron Robinson, EMS Regional Coordinator, MESB, 2099 University Avenue West, St. Paul, MN, 55104, [rrobinson@emsmn.org](mailto:rrobinson@emsmn.org), 651-683-8378.** If the Grantee's Authorized Representative changes at any time during this grant contract agreement, the Grantee must immediately notify the State. If the Grantee's Authorized Representative changes at any time during this grant contract agreement, the Grantee must immediately notify the State.

## ***7. Assignment Amendments, Waiver, and Grant Contract Agreement Complete.***

**7.1 Assignment:** The Grantee shall neither assign nor transfer any rights or obligations under this grant contract agreement without the prior written consent of the State, approved by the same parties who executed and approved this grant contract agreement, or their successors in office.

**7.2 Amendments:** Any amendments to this grant contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant contract, or their successors in office.

**7.3 Waiver:** If the State fails to enforce any provision of this grant contract, that failure does not waive the provision or the State's right to enforce it.

**7.4 Grant Contract Complete:** This grant contract contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant contract, whether written or oral, may be used to bind either party.

## **8. Liability**

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this grant contract by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this grant contract.

## **9. State Audits**

**9.1 Access to Grantee Records:** Under Minn. Stat. § 16B.98, Subd.8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this grant contract agreement or transaction are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant contract agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

**9.2 Audits:** Grantees will be required to adhere to the audit requirements found in Minn. Stat. § 144E.50, Subd. 6 (a) through (e).

## **10. Government Data Practices and Intellectual Property Rights**

**10.1 Government Data Practices:** The Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant contract. The civil remedies of [Minn. Stat. §13.08](#) apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released. The Grantee's response to the request shall comply with applicable law.

**10.2 Open Meeting Law:** The Grantee agrees to abide by the provisions of the Minnesota Open Meeting Law as provided in Minn. Stat. Ch. 13 D.

## **11. Workers Compensation**

The Grantee certifies that it is in compliance with [Minn. Stat. §176.181](#), Subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

## **12. Publicity and Endorsement**

**12.1 Publicity:** Any publicity regarding the subject matter of this grant contract must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this grant contract. All projects primarily funded by state grant appropriations must publicly credit the State of Minnesota, including on the grantee's website when practicable.

**12.2 Endorsement:** The Grantee must not claim that the State endorses its products or services and the Grantee understands that the State is not endorsing the Grantee's products or services.

## **13. Governing Law, Jurisdiction, and Venue**

Minnesota law, without regard to its choice-of-law provisions, governs this grant contract agreement. Venue for all legal proceedings out of this grant contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

## **14. Termination**

**14.1 Termination by the State:** The State may immediately terminate this grant contract with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

**14.2 Termination for Cause:** The State may immediately terminate this grant contract if the State finds that there has been a failure to comply with the provisions of this grant contract, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

**14.3 Termination for Insufficient Funding:** The State may immediately terminate this grant contract if:

- (a)** It does not obtain funding from the Minnesota Legislature or other funding source; Or, if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the contract is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

## **15. Data Disclosure**

Under [Minn. Stat. § 270C.65](#), Subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

## **16. Other Provisions**

**16.1 Evaluation:** The State may, during the course of this grant contract, evaluate the Grantee's progress towards goals and objectives of the grant contract and compliance with any special considerations. The State reserves the right to request additional information from the Grantee to carry out its evaluation. The Grantee is obligated to respond to the State's request for additional information to the State's satisfaction.

**16.2 Subcontractors:** If the Grantee seeks to fulfill any of its obligations and duties under this grant contract through a subcontractor to be paid with funds received under this grant contract, then prior to utilizing the subcontractor's services the Grantee shall inform the State of each subcontract, shall include the name and address of each subcontractor as well as the obligations set forth on each subcontractor, and upon request by the State shall provide a copy of the Grantee's agreements, contracts, and invoices with the subcontractor. The State reserves the right in its sole discretion to reject the Grantee's use of a subcontract and reserves the right to withhold grant funding or seek reimbursement of grant funding if the Grantee moves forward with the subcontract in contravention of the State's rejection and prohibition.

**16.3 Compliance with ADA:** In fulfilling the duties and responsibilities of the grant contract, the Grantee shall comply with the Americans with Disabilities Act of 1990, [42 U.S.C. § 12101, et. seq.](#) and the regulations promulgated pursuant to it.

**16.4 Prohibited from Paying Fines or Penalties:** The Grantee is prohibited from using grant funds to pay for fines and penalties.

**16.5 Electronic Mail is an Appropriate Communication Format for Written Notice:** For purposes of this grant contract, communication via electronic mail sent to the Grantee's or the State's last known electronic mail address on file is an acceptable communication format for the State or the Grantee to provide written notice under this grant contract.

**16.6 Deadline for Fund Expenditure:** All funds must be spent by June 30 of each fiscal year. Final invoices must be submitted on or before August 1 of each fiscal year. If funds are not spent or invoiced, they will revert back to the State's general fund.

### 1. STATE ENCUMBRANCE VERIFICATION

*Individual certifies that funds have been encumbered as required by Minn. Stat. § 16A.15*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

SWIFT Contract/PO No(s). \_\_\_\_\_

### 2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant contract on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: Jay Arneson \_\_\_\_\_

Title: Board Counsel \_\_\_\_\_

Date: August 2, 2021 \_\_\_\_\_

### 3. STATE Agency

By: \_\_\_\_\_  
(with delegated authority)

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Distribution:  
Agency  
Grantee  
State's Authorized Representative

FY2022-2023 MESB-Metro Region EMS Work Plan			Continuing Education (Minn. Stat. §144E.52)	Seat Belt Funds (Minn. Stat. §169.686)	EMS Support Fund (Mn Stat. §144E.50) One-Time EMS \$100,000	VTR Training Reimbursement Grant
Goal Area and Title of Goal/Objective	Short Description of Goal/Objective	Activities Designed to Achieve the Goal/Objective				
Provide training and workshops on current EMS topics or issues to EMS providers in the Metro Region, based on input from the Metro Region EMS System committees and board. Enhance the knowledge and skills of EMS providers and leaders. Use education to bolster relationships with other first responder disciplines and promote public safety responder integration with the EMS system.						
Personnel Education and Training						
The National Association of Emergency Medical Technicians' (NAEMT) Advanced Medical Life Support (AMLS) course is the most comprehensive EMS continuing education course. Endorsed by the National Association of EMS Physicians, AMLS emphasizes the use of the AMLS Assessment Pathway, a systematic tool for assessing and managing common medical conditions with urgent accuracy. It provides an in-depth study of the typical medical emergencies that affect the adult patient	Provide EMS personnel Advanced Medical Life Support (AMLS) training emphasis/objectives: The student will learn the Advanced Medical Life Support curriculum's emphasis on the utilization of the AMLS Assessment Pathway, a systematic tool for assessing and managing common medical conditions with urgent accuracy. It provides an in-depth study of the typical medical emergencies that affect the adult patient. The course also evaluates situational and environmental factors affecting patient care. The course also evaluates situational and environmental factors affecting patient care. AMLS is accredited by CAPCE. It is recognized by the National Registry of Emergency Medical Technicians (NREMT) and by the Continuing Education Certification Board for Emergency Medical Services (CECBEMS). AMLS is appropriate for paramedics, nurses, nurse practitioners, physician assistants, nurse anesthetists and physicians.	Provide a minimum of one (1) AMLS classes per fiscal year (with up to 24 students per class).		X		X
Action oriented leadership is based on the simple reality that everything one does is a blend of task, process, and people. Each of us – from highest level leader to individual contributor – finds themselves executing tasks, working on or within processes, and interacting with other people throughout the day. Execution, management, and leadership have evolved over time as the disciplines that study and improve how one works in each of these domains.	Provide EMS Leadership training emphasis/objectives: Students will complete the Metro Region EMS Leadership program, a self-paced online hybrid program with twelve (12) course/modules: Course 1: Foundation: Six Dimensions of Human Action Course 2: Achieving High Performance Leadership Course 3: Optimizing Team Performance Course 4: Sharpening Your Trust Edge Course 5: Case Study Practice Course 6: Problem Solving: Beyond Symptoms to Root Causes: Part one Course 7: Problem Solving: Beyond Symptoms to Root Causes: Part two Course 8: Motivation & Training Course 9: Change: Possibilities, Resistance, & Dissatisfaction Course 10: Practice Framing and Resolving Case Studies Course 11: Metaphors Course 12: Presentations and wrap up	Leadership training: enroll students for Cohort 2022 and 2023 and complete all training modules by June 2023.	X	X		
Recently, "clinical documentation was developed to track a patient's condition and communicate the author's actions and thoughts to other members of the care team. Over time, other stakeholders have placed additional requirements on the clinical documentation process for purposes other than direct care of the patient. More recently, new information technologies, such as electronic health record (EHR) systems, have led to further changes in the clinical documentation process.	Provide EMS Documentation Specialist training emphasis/objectives: The quality of the course material creates a high level of motivation to improve documentation performance. The course provides a solid platform for any QA committee members to conduct their reviews. The class covers documentation framework, fundamentals, special situations, narrative improvement, CMS compliance, medical necessity and signature requirements all designed to protect providers and agencies "(including medical directors)."	Provide a minimum of one (1) EMS Documentation per fiscal year (with up to 50 students per class).	X	X	X	
The purpose of this course is to teach a new integrated practice to first responders in a hostile event situation where there are viable victims to reduce morbidity and mortality. The 3ECHO response model is an integrated practice for first responders that move beyond the separation of law enforcement and rescue/medical personnel during active shooter, post blast response, and other hostile events.	3ECHO Hostile Event Response training emphasis/objectives: Students will learn to attain the primary objectives in the response phase of an active shooter, a bomb incident or a complex organized attack such as identify and neutralize the threat, assess number of casualties, and the integration of disciplines into Rescue Taskforces (RTFs) to be completed as soon as possible during an event response with the goal of providing the ability to rescue viable victims while the response to the hostile event is ongoing and risk to all responders is mitigated.	Provide a minimum of two (2) 3ECHO classes per fiscal year (with up to 70 students per class). Provide access to all public safety disciplines into 3ECHO-Hostile Event Response trainings; maintain and update material and support agencies adopting the objectives of a 3ECHO type response.	X	X	X	X
Physical and sexual assaults on EMS responders when on-duty is not uncommon. Developing skills and techniques to remain centered and focused during any verbal or physical hostile circumstance can de-escalate the situation and prevent on-duty injuries and deaths. Verbal 'conflict management' involves using body language, posture, tone of voice, and well chosen words as a means for calming a potentially volatile situation before it manifests into a physical violence.	De-escalation Classes emphasis/objectives: It is important that the caregiver maintain self-control to help others control themselves. Students will be trained how to constantly observe patient behavior, so the responder will be able to detect agitation and intervene in a timely fashion, avoiding physical confrontation and the physical restraints that are its usual consequence. To make this outcome possible, the EMS provider will learn to recognize signs of agitation and escalation; should practice presenting themselves as a calm, caring professional' and should maintain poise even when facing a potentially violent patient. The responder will learn how to remain open-minded, knowing that patients frequently react to assumptions made about them, and use the information acquired to find acceptable alternatives to aggression. These alternatives should be presented to the patient, making the choices clear, yet allowing the dignity of choice. Every effort should be made to provide opportunity for patients to be in control of their own behavior. Physical confrontation should always be a last resort, and one used only when there is a clear danger of immediate physical harm to a patient or staff member.	Provide a minimum of two (2) de-escalation classes per fiscal year (with up to 50 students per class)	X			X



The Ambulance Strike Team Leader (ASTL) must have the capability and experience to manage, coordinate, and direct the actions of the Ambulance Strike Team (AST) at a wide variety of emergency situations. AST assignments may include but are not limited to: evacuation assistance, incident rehab, emergency call response, inter-facility transports, on-scene stand-by, search and rescue support, vaccination clinics, hospital, shelter staffing or primary healthcare provider at evacuation centers.	Provide Ambulance Strike Team Leader (ASTL) training emphasis/objectives: Students will be trained to be an ASTL who ensures readiness of self and AST members for assignments; ensures staff availability, qualifications, and capabilities of resources to complete assignment; understands organization structure, reporting procedures, and chain of command within the ICS structure; understand and comply with ICS and NIMS concepts and principles; supervise the operational deployment of the team at the incident, as directed by the on-scene Division/Group Supervisor, or other member of the IMT; provides oversight of the safety and condition of the team, personnel and associated equipment; communicates IAP operational objectives of an incident action plan (IAP) and required resources needed to accomplish the assignment, given a tactical approach from the Operations section, assigned resources, and operational procedures, so that the required resources are identified and communicated to supervisors, assigned resources are allocated and the assignments are carried out, the tactical assignments are carried out, and the results are monitored and communicated to Incident Command.	Provide at least one (1) FEMA approved ASTL credentialing class.		X		
This course is designed to provide the skills and knowledge needed to perform in the role of Medical Unit Leader (MEDL). Topics include gathering information, organizing the medical unit, supervising the unit, evaluation, documentation, and demobilization.	Medical Unit Leader (MEDL) training emphasis/objectives: Students will be trained to integrate a Medical Unit into an expanding incident. The Medical Unit Leader is primarily responsible for developing the Medical Plan, obtaining medical aid and transportation for injured or ill incident personnel, supporting a COVID or other mass casualty disease outbreaks during the response, and preparing reports and records as well as assist Operations in supplying medical care and assistance to civilian/volunteer casualties at the incident as needed. The MEDL ensures all incident operations (including any recovery phases) are supported by medical response personnel; understand ICS and local response systems to directly support the efforts of Incident personnel.	Provide at least one (1) FEMA/EMI/NWCG approved MEDL credentialing class.				X
The Communications Unit (COMU) plays a critical support role within the Incident Command System (ICS). ICS establishes basic principles, practical tools, and a definitive nomenclature and structure for supporting incident-based emergency response. It has been common knowledge in Incident Management that responders require reliable and sustainable communications to perform their assigned function effectively and safely.	Communications Unit Leader training emphasis/objectives: Students will be trained to be a Communications Unit Leader (COML) who heads the Communications Unit and is responsible for integrating communications and ensuring that operations are supported by communications. The COML must understand ICS and local response systems to support the efforts of Incident personnel. The COML is tasked with managing the operational and technical aspects of incident communications.	Provide at least one (1) FEMA/EMI/NWCG approved Communications Leader credentialing class.				X
The job of the Liaison Officer (LOFR) during an emergency response is a critical one. It can have a large impact on the efficiency of resource use during the response operations, and on the perception of stakeholders regarding the success or appropriateness of the response activities. Both of these factors are critical to overall response success. LOFR is responsible to deal with any public entity, namely assisting and cooperating agencies, stakeholder groups, and government officials who have a vested interest and will be expected to provide input into the response process and will expect situation reports from the Incident/Unified Command.	Liaison Officer training emphasis/objectives: Students will be trained on the the primary responsibilities of the Liaison Officer that are to effectively coordinate with participating organizations (assisting and cooperating agencies) and stakeholders in support of the incident. The LOFR serves as the primary incident point of contact for Agency Representatives. This course focuses on the LOFR's main tasks: ensures coordination with cooperators and appropriate members of IMT takes place to accomplish incident objectives, efficiently resolve issues, and share issues and concerns; engage assisting and cooperating agencies and Agency Representatives; coordinate with IC, appropriate members of C&G, and cooperators to assess, evaluate the need for, and plan evacuations; maintain situational awareness/incident status with assisting and cooperating agencies and other stakeholders; monitor incident operations to identify current or potential inter-organizational problems; ensure a clear understanding of expectations and timely communication within and across Incident Command Systems (ICS) functional areas and chain of command.	Provide at least one (1) FEMA/EMI/NWCG approved Liaison Officer credentialing class.				X

<b>Transportation Coordination-EMS Response Readiness</b>					
The core mission of the Metro Region EMS System is the commitment to strive for competence, commitment, cooperation, and regional EMS coordination in order to provide an effective and efficient regional EMS response in the wake of any disaster through ongoing collaboration with state, county, and local emergency management, public safety, public health and healthcare provider agencies. This plan calls for ensuring readiness and capabilities of the Metro Region EMS System to provide EMS surge capacity capabilities upon request to the metropolitan region, the State of Minnesota and other state or federal jurisdictions. Maintain the capability to support and coordinate with any other MN EMS regional system response strategy for EMS surge capacity through continued development of regional components of MN Ambulance Strike Team (MNAST) that includes supporting and maintaining the Major Incident Response (MIR) bus and other logistical equipment. Maintain support of the EMSRB emergency operations and coordination with the MN EOC (statewide EMS MAC). Provide a real-time, reliable system for EMS resource allocation during mass casualty incidents and large scale, multi-jurisdictional events.	Provide workshops and seminars in the area of incident management, medical surge and emergency preparedness for EMS provider agencies that comply within state and federal guidelines such as NIMS-ICS structure with state, county, and local emergency management, public safety, public health and healthcare provider agencies.	Provide support, shelter, and maintenance of the Major Incident Response bus as well as support the ongoing operations, training and exercise of the statewide EMS multi-agency coordination group. Support EMS EOC/MACC operations and positions, SITREP development, and ensure EMS participation on regional workgroups and planning committees when requested.			X
	Provide training on regional response and surge plans.	See ICS 300-400 Trainings (Public Safety Agency Cooperation)			X
	Maintain collaborative participation with regional MNAST participants, county EMS councils and emergency management directors, MN EMSRB, MN Department of Health (MDH), Regional Healthcare Coalitions, the metro Regional Hospital Resource Coordination Center, the MN Metro Regional Trauma Advisory Council (MMRTAC) and emergency preparedness partners.	1. Participate/attend at least quarterly the state Hospital Preparedness Program and Healthcare Coalition meetings, EMSRB meetings, MN Trauma System and other regional meetings upon request. 2. Attend local EMS councils as requested. 3. Collaborate with local emergency managers with exercises, local trainings, and local council meetings.			X
	Provide one-stop emergency notification process for EMS surge and MNAST requests.	Provide Ziplt notification service to key EMS leaders to communicate urgent EMS needs and incident updates.		X	
<b>Public Safety Agency Cooperation</b>					
The most feared mass casualty incidents (MCIs) are those that are caused by a hostile event. In light of recent disasters, an overwhelming initial coordinated public safety response is mandatory in order to mitigate tragic loss of life and human suffering. In order to be successful and efficient, such a response requires planning, equipment and trained personnel.	Offer Incident Command System (ICS) training to EMS, fire, and law enforcement personnel.	Offer a minimum of one (1) ICS 300 and one (1) ICS 400 class per fiscal year. (24-30 students per class) Offer other ICS/IMT classes if funding is available.			X
	Participate in the metro Healthcare Multi Agency Coordination Center activities.	Ensure EMS representation in all metro responses to MCI events and exercises where multi-agency coordination, a common operation picture and situational awareness is requested/required. Recruit and train EMS leaders to provide this coverage.			X
All public safety responders are susceptible to stress-related mental disorders such as acute stress disorder (ASD) and posttraumatic stress disorder (PTSD). All first responders should have ready access to a team of trained individuals who have working knowledge of trauma, common reactions to trauma, PTSD, and other stress-related mental issues, in a peer-driven program that offers post-incident crisis intervention.	Enhance the well-being of EMS providers through instruction and funding of peer support(er) trainings and critical incident stress management (CISM).  Collaborate with other regional EMS programs to support the development and sustainability of CISM teams.	Contract with Metro CISM to provide services to all of the public safety agencies in the metro region. Collaborate with other regions to develop peer support training program for EMS.			X
<b>Communications Systems Maintenance and Development</b>					
Ensure EMS participation, compliance, and exercise within the scope of the regional tactical interoperability communications plan (TICP) and regional and statewide ARMER system standards.	Exercise and train EMS regional communication plans during planned events to be prepared to utilize plans during real incidents and events.	Utilize EMS communications plans and Communications Unit (COMU) personnel during regional exercises.			X
Maintain the EMS/MNAST communication assets.	Maintain fleet maps to be in compliance with state and regional standards; maintain and service radio cache as needed.	Continue internal radio checks and maintenance schedule.			X
Support regional COMU personnel during events and deployments.	Provide COML training for taskbook/credentialing.	Provide FEMA/EMI/NWCG COML training for taskbook/credentialing. (Funded by VTR Grant FY2022)			X

<b>Public Involvement</b>						
Promote public and governmental awareness of health and safety-conscious lifestyles through a public education campaign that targets the reduction in the risks of illness or injury and/or promotes safer behavior as well as promotes the essential roles EMS plays in the region. Identify public education initiatives addressing needs identified by the Metro Region EMS providers or gaps/needs gleaned from community health mapping and assessments.	Ensure metro region EMS website is current through regular updates and additional postings of new information to site.	Monitor, maintain and support emsmn.org website.			X	
	Support public education campaigns by distributing general health, emergency medical care and personal-family preparedness materials to EMS providers and collaborative partners for public distribution.	Maintain and distribute upon request supplies of current, approved informational pamphlets and brochures as well as "Procedures for Emergency Care".			X	
<b>Health Care Facilities Involvement</b>						
By action of the EMS TOC and the MESB, the Metro Region EMS System (MREMSS) acts as the regional EMS representative of the EMS community within the Metro Region Healthcare Coalition and sits on the Steering Committee. Also, the MREMSS is the MDH contracted host of the MN Metropolitan Regional Trauma Advisory Committee (MMRTAC) and provides a coordinator to the committee as well as provides administrative assistance to the committee.	Support and maintain the MMRTAC operations.	Provide MMRTAC coordination.			X	
	Participate within the regional Healthcare Coalition (includes Emergency Management, Public Health, Hospitals and Hospital Systems, Unaffiliated Clinics, and Long Term Care) and represent metro EMS agencies within MDH statewide Hospital Preparedness Program (HPP).	Attend and participate in appropriate regional healthcare meetings, trainings and exercises.			X	
<b>System Management</b>						
Ensure Metro Region EMS System remains operational.	Support as necessary Metro Region EMS System transport agencies.	The MESB staff monitors regional EMS operations and expenditures.			X	
<b>Equipment and Vehicle Purchases (Minn. Stat. §169.686 funds only)</b>						
	Maintain and upgrade as necessary regional EMS equipment including the regional MIR bus.	Maintain functionality and readiness of MCI bus and equipment. (See Transportation Coordination-Response Readiness)		X		
Replace Metro Region EMS ARMER Radio cache	The current radio cache is obsolete and not supported by Motorola.	The MESB-EMS will purchase six(6) portable radios each year of the grant.			X	

MESB-EMS FY2022-2023 BUDGET (8-4-2021)

Budget Line Items: goals/objectives or activities	Fiscal Year 2022 (7/1/2021 - 6/30/2022)					Fiscal Year 2023 (7/1/2022 - 6/30/2023)		
	Continuing Education (Minn. Stat. §144E.52)	Seat Belt Funds (Minn. Stat. §169.686)	EMS Support Fund (Minn. Stat. §144E.50)One-Time EMS \$100,000	FY2022 VTR Training Reimbursement Grant	Total for FY 2022	EMS Support Fund (Minn. Stat. §144E.52)	Seat Belt Funds (Minn. Stat. §169.686)	EMS Support Fund (Minn. Stat. §144E.50)One-Time EMS \$100,000
Personnel Training	\$ 73,125.00	\$ 21,190.00	\$ 11,766.00	\$ 56,403.00	\$ 162,484.00	\$54,000.00	\$ 21,190.00	\$ 11,766.00
NAEMT's Advanced Medical Life Support (AMLS) classes	\$ -	\$ 4,000.00		\$ 6,000.00	\$ 11,766.00		\$ 4,000.00	
EMS Leadership Series	\$ 21,000.00	\$ 4,000.00		\$ -	\$ 25,000.00	\$21,000.00	\$ 4,000.00	
EMS Documentation Classes	\$ 6,000.00	\$ 7,190.00	\$ 4,810.00	\$ -	\$ 12,000.00	\$6,000.00	\$ 7,190.00	\$ -
3ECHO- Hostile Event Training	\$ 34,125.00	\$ 4,000.00	\$ 956.00	\$ 4,903.00	\$ 38,125.00	\$15,000.00	\$ 4,000.00	\$ 5,766.00
Regional Training/Class Support	\$ -		\$ 6,000.00	\$ -	\$ 6,000.00			\$ 6,000.00
De-escalation Classes	\$ 12,000.00		\$ -	\$ 8,000.00	\$ -	\$12,000.00		\$ -
Ambulance Strike Team Leader Classes		\$ 2,000.00	\$ -	\$ -	\$2,000.00		\$ 2,000.00	\$ -
Communications Leader Class (COML)			\$ -	\$ 16,500.00	\$ -			\$ -
Medical Unit Leader Class (MEDL)			\$ -	\$ 12,000.00	\$ -			\$ -
Liaison Officer Training (LOFR)				\$ 9,000.00				
Transportation Coordination (Response Readiness)	\$ -	\$ 10,890.00	\$ 21,500.00		\$ 32,390.00	\$0.00	\$ 10,890.00	\$ 21,500.00
Notification System-Zipit	0.00	\$ 4,500.00	\$ -		\$ 4,500.00		\$ 4,500.00	
MIR Bus Maintenance & Repairs		\$ 6,390.00			\$ 6,390.00		\$ 6,390.00	
Major Incident Response Bus Readiness			\$ 8,000.00		\$ 8,000.00			\$ 8,000.00
MIR Bus Storage			\$ 12,000.00		\$ 12,000.00			\$ 12,000.00
EMS Major Incident Response Equipment Maintenance			\$ 1,500.00		\$ 1,500.00			\$ 1,500.00
Public Safety Agency Cooperation	\$ -	\$ -	\$ 14,500.00		\$ 14,500.00	\$0.00	\$ -	\$ 14,500.00
ICS 330-400 Trainings			\$ 9,000.00		\$ 9,000.00		\$ -	\$ 9,000.00
CISM			\$ 5,500.00		\$ -	\$ -		\$ 5,500.00
					\$ -			
					\$ -			
Communications Systems Maintenance and Development	\$ -	\$ -	\$ -		\$ -	0.00	\$ -	
Public Involvement	\$ -	\$ 5,850.00	\$ 5,850.00		\$ 11,700.00	\$0.00	\$ 5,850.00	\$ 5,850.00
Contracted Services-website and published materials		\$ 5,850.00	\$ 5,850.00		\$ 11,700.00	\$0.00	\$ 5,850.00	\$ 5,850.00
Health Care Facilities Involvement	\$ -	\$ -	\$ -		\$ -	\$0.00	\$ -	\$ -
	\$ -				\$ -	\$0.00		
Systems Management	\$ -	\$ 22,070.00	\$ 21,884.00		\$ 43,954.00	\$0.00	\$ 22,070.00	\$ 21,884.00
PROGRAM OPERATIONS					\$ -			
Local Travel to Meetings, Seminars, Etc.			\$ 2,000.00		\$ 2,000.00			\$ 2,000.00
Office Phones, Data lines, Cell Phone			\$ 6,300.00		\$ 6,300.00			\$ 6,300.00
Meeting Expenses			\$ 2,205.00		\$ 2,205.00			\$ 2,205.00
Office Supplies			\$ 240.00		\$ 240.00			\$ 240.00
Printing & Copying			\$ 1,618.00		\$ 1,618.00			\$ 1,618.00
Contract Services			\$ -		\$ -			\$ -
Postage			\$ 60.00		\$ 60.00			\$ 60.00
Conferences & Non-Local Travel		\$ 3,905.00	\$ -		\$ 3,905.00		\$ 3,905.00	\$ -
Dues & Subscriptions		\$ 605.00	\$ -		\$ 605.00		\$ 605.00	\$ -
Rent & Utilities		\$ 2,310.00	\$ 3,961.00		\$ 6,271.00		\$ 2,310.00	\$ 3,961.00
Insurance			\$ 2,000.00		\$ 2,000.00			\$ 2,000.00
Indirect Office (Contracted Mgt. Services-MESB)		\$ 15,250.00	\$ -		\$ 15,250.00		\$ 15,250.00	\$ -
Audit			\$ 3,500.00		\$ 3,500.00			\$ 3,500.00
Equipment and Vehicle Purchases (169.686 support funds only)	\$ -	\$ -	\$ 19,500.00		\$ 19,500.00	\$0.00	\$ -	\$ 19,500.00
Radio Purchases	\$ -		\$ 19,500.00		\$ 19,500.00	\$0.00		\$ 19,500.00
Operational Expenses of Emergency Life Support Transportation (169.686 funds only)	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
					\$ -			
					\$ -			
Totals	\$ 73,125.00	\$ 60,000.00	\$ 95,000.00	\$ -	\$ 284,528.00	\$ 54,000.00	\$ 60,000.00	\$ 95,000.00
Beginning Balance or Projected Balance	\$ -	\$ -			\$ -	\$ -	\$ -	
Projected Balance								
144E.52 Continuing Education grant 2022-2023 CONTRACT	\$73,125.00					\$73,125.00		
EMS Relief Account Fund ESTIMATES		\$60,000.00					\$60,000.00	
144E.50 One-time "Support" Grant FY2022-2023			\$95,000.00					\$95,000.00
FY2022 Volunteer Training Reimbursement Grant				\$56,403.12				

Total for FY 2023	Total Amount
\$86,956.00	\$ 249,440.00
\$4,000.00	\$ 15,766.00
\$ 25,000.00	\$ 50,000.00
\$ 7,190.00	\$ 19,190.00
\$ 19,000.00	\$ 57,125.00
\$ 12,000.00	\$ 18,000.00
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -
\$32,390.00	\$ 64,780.00
\$ 4,500.00	\$ 9,000.00
\$ 6,390.00	\$ 12,780.00
\$ -	\$ 8,000.00
\$ -	\$ 8,000.00
\$ -	\$ 12,000.00
\$ -	\$ -
\$14,500.00	\$ 29,000.00
\$ -	\$ 9,000.00
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -
\$11,700.00	\$ 23,400.00
\$ 5,850.00	\$ 17,550.00
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -
\$ 43,954.00	\$ 87,908.00
\$ -	\$ -
\$2,000.00	\$ 4,000.00
\$6,300.00	\$ 12,600.00
\$2,205.00	\$ 4,410.00
\$240.00	\$ 480.00
\$1,618.00	\$ 3,236.00
\$ -	\$ -
\$60.00	\$ 120.00
\$ 3,905.00	\$ 7,810.00
\$ 605.00	\$ 1,210.00
\$ 2,310.00	\$ 8,581.00
\$2,000.00	\$ 4,000.00
\$ 15,250.00	\$ 30,500.00
\$3,500.00	\$ 7,000.00
\$19,500.00	\$ 39,000.00
\$19,500.00	\$ 39,000.00
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -
\$209,000.00	\$ 493,528.00
\$ -	\$ -





## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:** September 8, 2021  
**Agenda Item:** 7A. Appointment of Primary  
Representative to SECB Legislative Committee  
**Presenter:** Rohret

### **RECOMMENDATION**

Staff recommends the Board appoint a new primary representative to the SECB Legislative Committee for the remainder of 2021.

### **BACKGROUND**

The Metropolitan Emergency Services Board, per Minnesota Statute Chapter 403, has a seat on the SECB, and has maintained seats on all SECB committees since the SECB's inception. The MESB makes its annual appointments to the SECB and its committees each January. Statute states the MESB representative to the SECB is the Chair, though some Chairs have chosen to delegate that assignment.

The SECB governs the ARMER system, Next Generation 9-1-1 (NG9-1-1) and interoperable data (FirstNet).

### **ISSUES & CONCERNS**

In January 2021, the MESB appointed Commissioner Mandy Meisner as the primary representative to the SECB Legislative Committee, and Jill Rohret as the alternate. Commissioner Meisner needed to step down from that appointment in July due to being appointed by the Governor to the State Mental Health and Advisory Council; the two meetings conflict.

The SECB Legislative Committee meets via WebEx/conference call on the first Thursday of the month at 10:00 a.m.

### **FINANCIAL IMPACT**

None to the MESB.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL







## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:** September 8, 2021  
**Agenda Item:** 7B. Award of Audit Services RFP  
**Presenter:** Rohret

### **RECOMMENDATION**

Staff recommend the Board award the audit services RFP to Redpath and Company.

### **BACKGROUND**

MESB Policy 27 – Contracted Professional Services requires the MESB to issue an RFP every five years for contracted professional services. The last RFP for audit services was issued in 2016. The RFP notice was printed in the State Register's June 28, 2021 edition, and on the MESB's website, with a deadline of July 30, 2021.

### **ISSUES & CONCERNS**

The MESB received one response to its RFP for audit services, from Redpath and Company.

### **FINANCIAL IMPACT**

The Redpath and Company response includes financial figures which align with the MESB's 2022 budget amount for audit services.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL





## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:** September 8, 2021  
**Agenda Item:** 7C. Approval of New MESB Policy  
035 – Not Public Data & MESB Data Inventory  
**Presenter:** Rohret

### **RECOMMENDATION**

Staff recommend approval of new MESB Policy 035 – Not Public Data and the MESB Data Inventory.

### **BACKGROUND**

The MESB has developed and approved 34 policies which govern board activities, human resources policies, use of IT, and records retention (list not exhaustive).

Effective August 1, 2014, Minnesota Statutes section 13.05, subd. 5 includes a requirement for government entities to create procedures to ensure “that data that are not public are only accessible to persons whose work assignment reasonably requires access to that data.”

### **ISSUES & CONCERNS**

In order to comply with MS 13.05, subd. 5, MESB Policy 035 – Not Public Data policy has been drafted, as well as a document of the MESB Data Inventory, which details who has access to what data.

The draft policy and inventory largely follow examples from the Minnesota Department of Administration’s Data Practice Office.

This draft policy and data inventory have been reviewed by MESB Counsel, who suggested some edits which are included in the draft being presented for approval.

### **FINANCIAL IMPACT**

None to the MESB.

MOTION BY:  
SECONDED BY:  
MOTION:

PASS/FAIL

## Metropolitan Emergency Services Board

**Subject: Ensuring the Security of Not Public Data**

**Number: 035**

**Effective Date: 0x-xx-2021**

**PURPOSE:** To establish to ensure the security of not public data.

### **Policy Statement**

The adoption of this policy satisfies the requirement in Minnesota Statutes, section 13.05, subd. 5, to establish procedures ensuring appropriate access to not public data. By incorporating employee access to not public data in the MESB's Data Inventory (required by Minnesota Statutes, Section 13.025, subd. 1) in the individual employee's position description, or both, MESB's policy limits access to not public data to employees whose work assignment reasonably requires access.

### **Procedures**

#### Data Inventory

Under the requirement in Minnesota Statutes, section 13.025, subd. 1, MESB has prepared a Data Inventory which identifies and describes all not public data on individuals maintained by the MESB, as well as identifying which employees have access to that data.

In the event of a temporary duty as assigned by the Executive Director, an employee may access certain not public data, for as long as the work is assigned to the employee.

In addition to the employees listed in MESB's Data Inventory, the Executive Director and Board Counsel may have access to *all* not public data maintained by MESB if necessary for specified duties. Any access to not public data will be strictly limited to the data necessary to complete the work assignment.

#### Employee Position Descriptions

Position descriptions may contain provisions identifying any not public data accessible to the employee when a work assignment reasonable requires access.

#### Data Sharing with Authorized Entities or Individuals

State or federal law may authorize the sharing of not public data in specific circumstances. Not public data may be shared with another entity if federal or state law allows or mandates it. Individuals will have notice of any sharing in applicable Tennessee warnings or MESB will obtain the individual's informed consent. Any sharing of not public data will be strictly limited to the data necessary or required to comply with the applicable law.

#### Ensuring that Not Public Data are not Accessed Without a Work Assignment

The MESB Executive Director may assign tasks by employee or by job classification. The Executive Director will ensure that the not public data are secure.

Recommended actions for ensuring appropriate access include:

- Assigning appropriate security roles, limiting access to appropriate shared network drives, and implementing password protections for not public electronic data

## Metropolitan Emergency Services Board

**Subject: Ensuring the Security of Not Public Data**

**Number: 035**

**Effective Date: 0x-xx-2021**

- Password protecting employee computers and locking computers before leaving workstations, in compliance with MESB Policy 009 – Acceptable Use of MESB Technology Resources Policy
- Securing not public data within locked workspaces and in locked file cabinets
- Shredding not public documents before disposing of them

### **Penalties for Unlawfully Accessing Not Public Data**

MESB will utilize the penalties for unlawful access to not public data as provided for in Minnesota Statutes, section 13.09, if necessary. Penalties include suspension, dismissal, or referring the matter to the appropriate prosecutorial authority who may pursue a criminal misdemeanor charge.

**Data on Individuals**  
**Maintained by the Metropolitan Emergency Services Board**  
September 2021

This document identifies the name, title, and address of the Responsible Authority for MESB and describes private or confidential data on individuals maintained by MESB (see Minnesota Statutes 13.05 & Minnesota Rules 1205.1200).

This document is also part of MESB's procedures for ensuring that not public data are only accessible to individuals whose work assignment reasonable requires access (see Minnesota Statutes 13.05, subd. 5). In addition to the employees listed, MESB's Responsible Authority and MESB Board Counsel will have access to all not public data on an as needed basis as part of a specific work assignment.

MESB's Responsible Authority is:  
Jill Rohret, Executive Director  
2099 University Avenue West  
St. Paul, MN 55104

Direct all questions about this document to:  
Jill Rohret  
2099 University Avenue West  
St. Paul, MN 55104  
(651) 643-8394  
[jrohret@mn-mesb.org](mailto:jrohret@mn-mesb.org)

### Data Maintained by MESB

<i>Responsible Authority (Name &amp; Title)</i> Jill Rohret, Executive Director	<i>Data Practices Compliance Official</i> Jill Rohret, Executive Director			
<i>Address:</i> 2099 University Avenue West, St. Paul, MN 55104	<i>Address:</i> 2099 University Avenue West, St. Paul, MN 55104			
<b>Name of Record, File, Process, Form, or Data Type</b>	<b>Description (Understandable to General Public)</b>	<b>Data Classification</b>	<b>Citation for Classification</b>	<b>Employee Work Access</b>
Security information	Data that would substantially jeopardize the security of information, possessions, individuals, or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury, if the data were released to the public	Private	MS 13.37	Certain employees or contractors on an as needed basis as part of specific work assignments
Civil investigative data	Data that are collected in order to start or defend a pending civil legal action, or because a civil legal action is expected	Confidential Public	MS 13.39	Certain employees on an as needed basis as part of specific work assignments and Board Counsel
Social Security numbers	Social Security numbers assigned to individuals	Private	MS 13.355	Certain employees on an as needed basis as part of specific work assignments
Personal data	Data about employees, applicants, volunteers, and independent contractors; labor relations information	Public Private Confidential	MS 13.43 179A.03, subd. 4	Certain employees on an as needed basis as part of specific work assignments
Correspondence	Letters and electronic correspondence	Public Private Confidential	Various	Certain employees and contractors on an as needed basis as part of specific work assignments

Continuity of operations	Personal home contact information used to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of operation of a government entity	Private	MS 13.43, subd. 17	Certain employees on an as needed basis as part of specific work assignments
Personal contact and online account information	Telephone number, email address, and usernames and passwords collected, maintained, or received by a government entity for notification purposes or as part of a subscription list for an entity's electronic periodic publications as requested by the individual	Private	MS 13.356	Certain employees on an as needed basis as part of specific work assignments
Attorney data	Data related to attorney work product or data protected by attorney-client privilege	Private	MS 13.393	Certain employees on an as needed basis as part of specific work assignments
Internal audit data	<ul style="list-style-type: none"> <li>• Data created, collected, and maintained for the purpose of performing audits and/or relating to an audit or investigation;</li> <li>• Working papers gather or generated until the final report is published or audit becomes inactive</li> </ul>	Public Private Confidential	MS 13.392 MS 13.43 MS 13.37	<ul style="list-style-type: none"> <li>• Executive Director</li> <li>• Financial Services Coordinator</li> <li>• Certain employees on an as needed basis as part of specific work assignments</li> <li>• Audit firm</li> </ul>
Response to data requests	Data collected by MESB data practices compliance official in responding to requests for data maintained by MESB	Public Private	Various	<ul style="list-style-type: none"> <li>• Responsible Authority</li> <li>• Data Practices Compliance Official</li> </ul>
Employee expense reports	Expense reimbursement requests	Public Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Travel expense/per diem reports for board members	Travel expense reimbursement requests	Public Private	MS 13.601 MS 13.43	Certain employees on an as needed basis as part of specific work assignments



Workers compensation billings	Records of billings for employees who receive workers compensation benefits	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Responses to requests for proposal	Responses submitted are non-public until the Board awards the RFP. Once RFP is awarded, all responses become public	Private Public	MS 13.599	Certain employees involved in RFP process
Employee personnel records	Record of prior and current employment history. Data relating to hiring, assessments, promotion, discipline, and related administrative personnel actions	Public Private	MS 13.43	Executive Director and Financial Services Coordinator (for payroll purposes); Dakota County Employee Relations
Applicant records	Completed assessments and results, related documentation, and application forms	Public Private	MS 13.43	Executive Director and certain employees on an as needed basis to assist in interviews
Unemployment compensation billings	Records of billings from Dakota County Employee Relations for employee unemployment compensation	Private	MS 13.43	Executive Director and Financial Services Coordinator (for payroll purposes); Dakota County Employee Relations
Workers' compensation information	Records of billings from MCIT for employees who receive workers compensation benefits	Private	MS 13.43	Executive Director and Financial Services Coordinator (for payroll purposes); Dakota County Employee Relations
Health records data	Medical data of employees disclosed for the purposes of administering claims	Private	MS 144.293 MS 179.135, Subd. 7	Executive Director
Responses to Requests for Proposals (RFPs) and requests for bids	Responses to Requests for Proposals (RFPs) and requests for bids	Public Private	MS 13.591	Executive Director

Responses to Requests for Proposals (RFPs) and requests for bids	Trade secret data in response to Request for Proposal (RFP) and requests for bids	Private	MS 13.37	Certain employees on an as needed basis as part of a specific work assignment
Data on individuals with disabilities	Data that identify an individual with a disability or a family member of an individual with a disability	Private	MS 13.64, Subd. 2	Executive Director, Financial Services Coordinator (for bill processing purposes)
9-1-1 Automatic Location Identification (ALI) records	Data that may identify an individual and their address and telephone number used to call 9-1-1	Private	MS 403.07, Subd. 4	Certain employees as part of specific work assignments
Accounts Payable/Receivable, including reimbursements to MESB staff	Invoices and payments made by or to the MESB, including mileage reimbursements for MESB staff (which includes private staff personal data)	Public Private	MS 13.43	Executive Director, Financial Services Coordinator (for bill processing purposes); Washington County



## **METROPOLITAN EMERGENCY SERVICES BOARD**

**Meeting Date:**

**September 8, 2021**

**Agenda Item:**

**7D. Discussion: Draft Amendments  
to MS 403**

**Presenter:**

**Rohret**

### **RECOMMENDATION**

Staff recommend that the Board provide feedback to the Statewide Emergency Communication Board (SECB) Legislative Committee regarding its current drafted amendments to portions of MS 403; the Legislative Committee is also seeking approval of the draft amendments.

### **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.

### **ISSUES & CONCERNS**

ECN determined that it is time to update the portion of the 9-1-1 statute that affects the state, namely the technical portions of the statute that deal with the 9-1-1 system itself and the regulation of carriers which send calls to it, as well as some language surrounding the 9-1-1 fee. They would like to introduce these changes in the 2022 legislative session. The changes are being discussed by a workgroup of the SECB Legislative Committee; both Commissioner Mandy Meisner and the MESB Executive Director participate in this workgroup; other regions participate as well as AMC and MSA representatives.

Since the MESB discussed the proposed amendments in May 2021, many changes have been made. ECN seeks comment from regions by October 7, 2021. There are two documents with changes included in this meeting packet. The first are the amendments to the "technical" portions of MS 403 dealing with 9-1-1, specifically the areas of 403.025 through 403.15 in current statute. The second set of changes are proposed changes to the governance sections of MS 403, specifically 403.36; a blacklined copy is not available. These draft amendments were included in the SECB Legislative Committee's meeting materials for its September 2, 2021 meeting and the draft has not yet been discussed by the committee or the workgroup working on the "technical" changes.

A blacklined version of the amendments is not yet available; what is enclosed is a clean copy. There are some language replacements and some areas which are taken from current statute.

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## METROPOLITAN EMERGENCY SERVICES BOARD

**Meeting Date:** September 8, 2021  
**Agenda Item:** 7D. Discussion: Draft Amendments to MS 403  
**Presenter:** Rohret

### Technical Amendments to 403.025 – 403.15

Specific statutory references below refer to the sections in the draft amendments document, not current statute. Comments on the draft include:

- 403.2, Subd. 2: Language added requiring DPS to procure a 9-1-1 network which meets the requirements of counties operating 9-1-1 systems. In other words, DPS needs to consult with counties/PSAPs to ensure the network it procures meets PSAP needs.
- 403.2, Subd. 2a (a): Language was removed from statute which specifically allows counties/regions to be party to the 9-1-1 contracts with the state and selected vendors. If the MESB is not party to the agreement, it is possible that MESB would not be able to receive system and call information which would prevent MESB staff from meeting some of the MESB responsibilities listed in the joint powers agreement. Rohret contacted the Director of ECN to schedule a meeting/call to discuss possible remedies on August 17. As of the writing of this document, a follow-up request was sent on September 1 and no response has yet been received.
- A difference from the language discussed at the May MESB meeting, is that language requiring counties to be part of the state 9-1-1 network was removed. There are requirements for counties which participate in the state 9-1-1 network to submit and maintain 9-1-1 plans (which the metro region already does). There are also requirements for interoperability should a county/region decide to implement its own 9-1-1 network.
- No changes are currently proposed to amend language which was added to statute in 2021 under 403.003, Subd. 1 (b) "...shall include a referral to mental health crisis teams, where available." This language is of concern to PSAPs and law enforcement due to ambiguity. No changes were made to this language, but conversations with NAMI will occur to see if NAMI would submit additional language in the 2022 session.
- Language throughout the draft of the technical amendments gives authority to the Commissioner of Public Safety to procure and manage the 9-1-1 network. This is similar to the Commissioner's role in current statute for E9-1-1, however this is a discussion which depends on clarification in the governance portion of statute. Discussions of whether these references should be the Commissioner or SECB have been put on hold; it should be noted that SECB has no staff and no contracting or AP/AR authority.
- 403.006: This draft includes language submitted by MESB staff relating to MESB design and performance standards for the 9-1-1 network in the metro region, as well as MESB

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## METROPOLITAN EMERGENCY SERVICES BOARD

**Meeting Date:** September 8, 2021  
**Agenda Item:** 7D. Discussion: Draft Amendments to MS 403  
**Presenter:** Rohret

data standards for the metro region. The language does require DPS to incorporate MESB standards into Minnesota Rules per Chapter 14 (though this has not always been done in the past. It should be noted that multiple rules related to 9-1-1 need updates and ECN has begun the process of developing amended language).

- 403.006, Subd. 3, (3a): Includes language requiring Originating Service Providers (OSPs) to provide subscriber address location information upon the request of the state, a region or a PSAP. This will be helpful to finalize the MESB data synchronization project.
- 403.010 and 403.011: 403.010 specifically allows Minnesota State Patrol to use 9-1-1 fund monies for administrative and staffing expenses. 403.011 previously included language stating what costs were eligible to use 9-1-1 fund monies; it has been amended to only state for what costs 9-1-1 fund monies cannot be used. This means that counties/PSAPs could use 9-1-1 fund monies for PSAP administrative and staffing costs, which had not previously been allowed. Note: for metro counties, though 2021 changes doubled the amount of money distributed to PSAPs, the amount received by metro counties remains to be a small portion of PSAPs' operating budget.

### Proposed Amendments to 403.36

At the time of this writing, there has not been a meeting to discuss the proposed amendments. A meeting will occur between when this meeting packet is sent out and the September 8 MESB meeting, at which staff will provide additional information.

- In current statute, SECB and its roles are contained in 403.36 and 403.37, and in 403.382. The proposed amendments incorporate language currently contained in 403.37 into 403.36, and deletes 403.37. The document does not indicate any changes made to 403.382.
- 403.36: Removes references to Statewide Radio Board and replaces them with Statewide Emergency Communication Board.
- 403.36, Subd. 1: Paragraphs (a) and (b) mirror current statute, except for line 13, which was amended in the 2021 session to read "the chair of the Metropolitan Emergency Services Board;"
- Included in the draft language under 403.36, Subd. 2 (d): SECB would define the geographic scope of each emergency communications/services board region. Staff recommend opposing this language. At the beginning of ARMER, the metro region was legislatively defined as nine-counties for ARMER; all other regions formed voluntarily

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## **METROPOLITAN EMERGENCY SERVICES BOARD**

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**7D. Discussion: Draft Amendments  
to MS 403**

**Presenter:**

**Rohret**

without a state role in defining the regions. The SECB should not have authority to define what region counties may join via a joint powers agreement.

- General comment related to 403.36 Subds. 4 through 8: all these subdivisions specifically state the SECB shall advise the commissioner, rather than an active governance role for the SECB. There could be objections to this as the SECB is an open form of government, whereas the commissioner's office is not. This relates to some areas in the "technical" portions of statute being amended, as discussed above.
- 403.36, Subd. 4 defines role of SECB as advising the Commissioner on funding and sustainment of emergency communications interoperability, systems, and services.
- 403.36, Subd. 5 defines role of SECB in relation to NG91-1 as purely advisory. The language mentioned technical and operational standards, but if SECB is advisory can their standards be ignored? Will these be Commissioner's standards? Will they be subject to Chapter 14 and be incorporated into Rules?
- 403.36, Subd. 6 removes the active and authoritative role for the SECB related to the ARMER system and makes it solely advisory. Would current SECB standards be Commissioner's standards? Again, SECB is open government.
- 403.36, Subd. 7 defines role of SECB in relation to wireless public safety communication services and technology as advisory. Allows standards to be created, but are those standards enforceable? See previous bullets.
- 403.36, Subd. 8 defines the role of SECB relative to IPAWS as advisory; has issues related to standards as mentioned in prior bullets in this document.

### **FINANCIAL IMPACT**

No direct impact to the MESB at this time.

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**From:** Stroud, Sandi (DPS)  
**To:** Chris Caulk (Chris.Caulk@sheriff.co.isanti.mn.us); Darlene Pankonie; Haltaufderheid, Jordan (DPS); Jill Rohret; kip.bruender@blueearthcountymn.gov; mandy.meisner@co.anoka.mn.us; mark.lallak@co.itasca.mn.us; Micah Myers; sarah.booker@co.todd.mn.us; Tait, Steven (DPS); Troy.heck@co.benton.mn.us; Wahlberg, Dana (DPS); Stark, Carli  
**Subject:** [EXTERNAL] RE: 403 updates to clean copy ready for review  
**Date:** Monday, August 23, 2021 5:13:48 PM  
**Attachments:** image001.png

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UPDATES:

1. Schedule – Steve Tait, Jordan and I met today to game out a schedule for document revisions, reviews and SECB approvals.
  - a. **8/25 & 9/1** – workgroup meeting to finalize clean copy (including fee usage section...see #2 below)
  - b. **9/2** – the workgroup submit finalized clean version Legislative Committee with overview presentation and instructions for review:
    - i. regional representatives on the committee asked to take document back to the regions for comments and approvals to be submitted by the **10/7** Legislative committee meeting
    - ii. legislative committee will need to review and submit comments to working group by **10/7**
    - iii. Discussion item on **10/7** legislative committee meeting agenda with recommendation to submit to the board (depending on feedback from regions and committee)
  - c. **10/13** – strikethrough/underline version to working group for review
  - d. **10/20** – strikethrough/underline version finalized by working group
  - e. Strikethrough/underline version of clean document will be included in the board packet for the **10/28** meeting
2. 911 fee usage language – folks I've learned from Dana that while the FCC rules will be voted upon by that body and publish a recommendation by 9/17. From there it will be reviewed by 2 Senate Committees and will come to a congressional decision (vote). No idea how long that will take. Until Congress votes to approve, it is not binding. I suggest we take a two-pronged approach:
  - a. Update the 403.10, sub 4a ASAP with an changes and additions you all feel should be codified in the allowable uses.
  - b. Suggestion would be to simplify sub 4b to just #4
  - c. Add a 4c section with language towards the commissioner and SECB being able to prioritize the use of 911 fees through Minnesota Rules updates.
3. Fee diversion – if the above FCC rules are approved on 9/17 they will be effective in October but not binding until approved by Congress. This puts MN in limbo with carriers as it relates to paying the monthly cost recovery bills as it will still be state law until this new statute update is submitted. It is possible that MN will face pressure and legal proceedings from carriers during this time thus it is critical we can say the law is being addressed. This is why the schedule does need to be aggressive but also allow for legislative committee, board and regional reviews.

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**From:** Stroud, Sandi (DPS)  
**Sent:** Thursday, August 19, 2021 11:20 AM  
**To:** Chris Caulk (Chris.Caulk@sheriff.co.isanti.mn.us) <Chris.Caulk@sheriff.co.isanti.mn.us>; Darlene Pankonie <Darlene.Pankonie@co.washington.mn.us>; Haltaufderheid, Jordan (DPS) <jordan.halttaufderheid@state.mn.us>; Jill Rohret <JRohret@mn-mesb.org>; kip.bruender@blueearthcountymn.gov; mandy.meisner@co.anoka.mn.us; mark.lallak@co.itasca.mn.us; micah.myers@ci.stcloud.mn.us; sarah.booker@co.todd.mn.us; Tait, Steven (DPS) <Steven.Tait@state.mn.us>; Troy.heck@co.benton.mn.us; Wahlberg, Dana (DPS) <dana.wahlberg@state.mn.us>; Stark, Carli <cstark@mncounties.org>  
**Subject:** 403 updates to clean copy ready for review

Team, I have made the updates discussed yesterday to the clean copy up through *403.004 911 NETWORK OPERATION AND MAINTENANCE*.

Couple things I wanted to bring your attention to for you to look at in the reviewed sections. The reason for these changes is that when the state enters into a contract with any ECNSSP the requirements will be codified in that agreement. If a PSAP makes changes to their 911 system that isn't interoperable the state cannot blanket agree to meet these requirements without potentially being in breach of contract. Thus the process of a 911 plan change and plan change review will enable PSAPs to still make their own 911 system decisions but also ensure that these systems will be interoperable with the 911 network and vice-versa. :

1. 403.02 subd 2 **State requirements:** language had been added by Jill to ensure that the state would guarantee meeting the requirements of counties operating 911 systems. I added to this section a condition that this would apply for those who have an approved update their 911 plan. This is an already established rule per 7580.1000 <https://www.revisor.mn.gov/rules/7580.1000/>. Please review and comment ONLY if you cannot live with this updated language. A lack of comment will indicate acceptance and we will NOT discuss on Wednesday.

2. Along the same line of update, I deleted the duplicate reference to the required 911 system plan and ceased using “system” as that does not align with an already established rule for a 911 plan per [MN 7580.0400](#). We will need update this rule to align with NG9-1-1 technology and the definition of a 911 network and 911 system. I will take a pass at drafting this and put it in sharepoint for you all to review. As stated above, please review this section (403.2, subd. 3b **911 plans**) and comment ONLY if you cannot live with this updated language. A lack of comment will indicate acceptance and we will NOT discuss on Wednesday.
3. Along the same lines to keep with consistency, in lieu of the discussed language to 403.2, sub. 5 **Multijurisdictional System** the same language referencing the existing 911 plan change rule is referenced. Please comment ONLY if you cannot live with this updated language. A lack of comment will indicate acceptance and we will NOT discuss on Wednesday.
4. Lastly, not related to the above please review the requested added subdivision 403.004 3a regarding 911 network interoperability if a PSAP decides not to be part of the state network.

Other items to bring up:

1. As mentioned above, I will take a first pass as drafting updates to 7580.0400 SUBMISSION OF FINAL PLANS <https://www.revisor.mn.gov/rules/7580.0400/>
2. If you’d like to review the rule regarding the updates here in the link. If you feel you can’t live with the language in this rule please bring that to the working group Wednesday. <https://www.revisor.mn.gov/rules/7580.1000/>
3. This group may desire to look at and possibly updating MN rule 7580.006 which specifically touches on 911 systems. Per Jill identifying a more detailed definition of PSAP, this falls in line with that. <https://www.revisor.mn.gov/rules/7580.0600/>
4. ECN will be looking at MN rule 7580.0500 DESIGN STANDARDS as that directly relates to the 911 network. <https://revisor.mn.gov/rules/7580.0500/> and MN rule FUNDING ELIGIBILITY; PAYMENT OF RECURRING COSTS which address’ the state paying for 911 network costs. <https://www.revisor.mn.gov/rules/7580.1100/>

Lastly, here are the links to the document URL and the SharePoint site:

[https://stcloudcity.sharepoint.com/:w:/r/sites/LegislativeWorkGroup403rewrite/Shared%20Documents/403\\_WG%20draft\\_Final.docx?d=w6173b92101eb45829e10949c190aa3fb&csf=1&web=1&e=jSF9P2](https://stcloudcity.sharepoint.com/:w:/r/sites/LegislativeWorkGroup403rewrite/Shared%20Documents/403_WG%20draft_Final.docx?d=w6173b92101eb45829e10949c190aa3fb&csf=1&web=1&e=jSF9P2)

<https://stcloudcity.sharepoint.com/sites/LegislativeWorkGroup403rewrite/Shared%20Documents/Forms/AllItems.aspx>

Thanks for all your help!





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403.01 DEFINITIONS.

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

**Subd. 2. 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. 3. 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 non-voice 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. 4. 911 service.** "911 service" means the emergency response service a public safety answering point provides as a result of processing 911 calls through their 911 system.

**Subd. 5. 911 system.** "911 system" means a coordinated system of technologies, networks, hardware, and software applications that a PSAP must procure and maintain in order to connect to the state 911 network and provide 911 services.

**Subd. 6. Automatic location identification.** "Automatic location identification" means the process of electronically identifying and displaying, where available, the name of the subscriber, the communications device's current location and the callback number to a person answering a 911 emergency call.

**Subd. 7. Callback number.** "Callback number" means a telephone number, or functionally equivalent internet address or device identification number, used by the PSAP to contact the location from which the 911 call was placed.

**Subd. 8. Commissioner.** "Commissioner" means the commissioner of public safety.

**Subd. 9. 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. 10. Emergency Communication Networks (ECN).** "Emergency Communication Networks" means the division of Minnesota Department of Public Safety that oversees the Statewide 911 Program, Allied Radio Matrix for Emergency Response (ARMER) radio communications network, Integrated Public Alert and Warning Systems (IPAWS), and a statewide Wireless Broadband initiative in coordination with FirstNet.

**Commented [SB1]:** As a side note, the new definitions list should be reorganized alphabetically

**Commented [JR2R1]:** The editor in me agrees; that may be something the Revisor's Office may do automatically?

**Commented [S(3R1)]:** do

**Commented [JR4]:** Where do ingress and NGCS fit in the definition? Shouldn't they be included in this definition since ECN/SECB govern the 911 network (ingress, egress and NGCS)?

**Commented [SS(5R4)]:** I agree, in many places where "ESInet" is used we need to have that definition include the functional elements of ingress, NGCS and egress of the NG911 network.

**Commented [JR6]:** Not sure if this is the best change, but I think this definition needs to include mention of the ESInet

**Commented [SS(7R6)]:** See above comment.

**Commented [SS(9R8)]:** I think we can delete this definition; it is not used in any proposed statute language.

**Commented [JR8]:** General question, but at some point, we should stop using E911 and NG911 as we will move to the yet to be named next version of NG911...

**Commented [JR10]:** Per the definition of 911 service above, this is not an appropriate use of 911 services. See suggested language.

**Commented [JR11R10]:** I like the changes you are suggesting; it makes it more clear (then we might need to remove 911 service from places I added it later in the draft)

**Commented [S(12R10)]:** I will take care of that.

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- Subd. 11. Emergency Communications Network Service Provider (ECNSSP).** "Emergency Communications Network Service Provider (ECNSSP)" 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 ECNSSP 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. 12. 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. 13. Emergency response location.** "Emergency response location" means a location to which a public safety agency may be dispatched. The location must be specific enough to provide a reasonable opportunity for the public safety agency to locate a caller anywhere within it.
- Subd. 14. Emergency Services** "Emergency Services" includes, but is not limited to, firefighting, police, ambulance, medical, or other mobile services dispatched, monitored or controlled by a PSAP.
- Subd. 15. Emergency Services Internet (ESInet)** "ESInet" means a network which is Internet Protocol-based and multi-purpose in supporting local, regional, and national public safety communications services in addition to 911. The ESInet is comprised of 3 network components: ingress network, NGCS and egress network.
- Subd. 16. Governmental agency.** "Governmental agency" means any unit of local government or special purpose district located in whole or in part within this state that has authority to provide firefighting, law enforcement, ambulance, medical, or other emergency services.
- Subd. 17. Geographical Information System (GIS).** "Geographical Information System (GIS)" means a system for capturing, storing, displaying, analyzing, and management of data and associated attributes which are spatially referenced.
- Subd. 18. Internet protocol.** "Internet protocol (IP)" means the method by which data is sent from one computer to another on the Internet or other networks.
- Subd. 19. Metropolitan area.** "Metropolitan area" means the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, and Washington.
- Subd. 20. Multiline telephone system (MLTS).** "Multiline telephone system" or "MLTS" means a system comprised of common control unit(s), telephone sets, control hardware and software and adjunct systems used to support the capabilities outlined herein. This includes network and premises-based systems. E.g., Centrex, VoIP, as well as PBX, Hybrid, and Key Telephone Systems (as classified by the FCC under Part 68

**Commented [JR13]:** Throughout this draft 911 system seems to be used synonymously with 911 network, but per the definitions included here it should not be. I replaced many references to 911 system to 911 network or ESInet throughout the draft.

**Commented [SS(14R13)]:** Good catch; this should be 911 network in this instance with the above adjusted changes to 911 service and 911 system.

**Commented [SS(15)]:** Needs to include the 3 functional elements of the network: ingress, NGCS and egress in definition.

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Requirements) and includes systems owned or leased by governmental agencies and non-profit entities, as well as for profit businesses.

- Subd. 21. Regional Board.** “Regional Board” means one of the seven Emergency Services /Emergency Communications Boards in this State.
- Subd. 22. Next generation 911 (NG911).** “Next generation 911 (NG911)” means an Internet Protocol (IP) based system comprised of managed Emergency Services IP networks (ESInets), functional elements (applications), and databases that replicate the traditional E911 features and functions, and 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 (PSAPs) and other emergency service organizations.
- Subd. 23. Next Generation Core Services (NGCS)** “Next Generation Core Services” means the base set of services needed to process a 9-1-1 call on an ESInet. They include the Emergency Services Routing Proxy (ESRP), Emergency Call Routing Function (ECRF), Location Validation Function (LVF), Border Control Function (BCF), Bridge, Policy Store, Logging Services and typical IP services such as DNS and DHCP. The term “Next Generation Core Services” includes the services and not the network on which they operate.
- Subd. 24. Originating service provider (OSP).** “Originating service provider (OSP)” means an entity that provides the capability for customers to originate 911 calls to public safety answering points, including wireline communications service providers, Voice Over Internet Protocol (VoIP) service providers, and wireless communications service providers.
- Subd. 25. 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 PSAP.
- Subd. 26. Prepaid wireless communications service.** Means a wireless communications service that allows the caller to dial 911 to access the 911 network, which service must be paid for in advance and is:
- a. sold in predetermined units or dollars of which the number declines with use in a known amount; or
  - b. 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 communications service does not preclude that service from being considered a prepaid wireless communications service under this chapter.
- Subd. 27. Primary place of use** “Primary place of use” has the meaning given in 4 U.S.C. § 124.

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- Subd. 28. Public safety agency.** "Public safety agency" means an agency which provides emergency services to the public.
- Subd. 29. Public safety answering point (PSAP).** "Public safety answering point" or "PSAP" means a governmental agency operating a 24-hour communications facility that receives 911 and other emergency calls, central station notifications, texts, and computer notifications, and directly dispatches emergency response services or relays communications to the appropriate public safety agency according to a specific operational policy
- Subd. 30. Public safety telecommunicator.** "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, texts, and computer notifications or provide for the appropriate emergency response either directly or through communication with the appropriate public safety answering point.
- Subd. 31. Public Utilities Commission (PUC).** "Public Utilities Commission" is a Minnesota state commission as defined in MN 216A.03, subdivisions 1-9.
- Subd. 32. 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 post-dispatch or pre-arrival 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.
- Subd. 33. Service user.** "Service user" means any person who initiates a 911 call to receive emergency services.
- Subd. 34. 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. 35. Wireless communications service.** "Wireless 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. 36. Wireless communications service provider.** "Wireless communications service provider" means a provider of wireless communications service.
- Subd. 37. Wireline communications service provider.** "Wireline communications service provider" means a person, firm, association, corporation, or other legal entity,

**Commented [JR16]:** Should this definition more closely resemble the NENA definition for an ECC:

A facility that is designated to receive requests for emergency assistance, including but not limited to 911 calls, and staffed to perform one or more of the following functions:

- Determine the location where an emergency response is being requested
  - Interrogate callers to identify, assess, prioritize, and classify requests for emergency assistance and other gathered information
  - Determine the appropriate emergency response required
  - Assess the available emergency response resources that are, or will be, available in the time required
  - Dispatch appropriate emergency response providers
  - Transfer or exchange requests for emergency assistance and other gathered information with other emergency communications centers [or PSAPs] and emergency response providers
  - Analyze and respond to communications received from emergency response providers and coordinate appropriate actions
- Support incident command functions

**Commented [SS(17R16):** I have no issues using this definition

**Commented [JR18R16]:** With no knowledge of the reclassification discussions, but making the role of the PSAP more clear may help that endeavor too?

**Commented [S(19):** as defined...

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however organized, authorized by state or federal regulatory agencies to furnish wireline communications service, including local service, or that provides voice over Internet protocol (VoIP), to its subscribers. A wireline communications service provider is a local exchange carrier, competitive local exchange carrier, or VoIP provider that is capable, as provisioned by the provider, of originating a request for 911 service for its subscriber.

Current Statute:	Changes:
Section renumbered	403.02 to 403.01
403.02 Subd. 13. <b>Enhanced 911 service.</b>	Deleted
403.02 Subd. 17. <b>911 service.</b>	Updated
403.02 Subd. 17a. <b>911 emergency telecommunications service provider.</b>	Deleted; replaced with "OSP"
403.02 Subd. 17c. <b>911 telecommunicator.</b>	Renamed "Public Safety Telecommunicator"

<https://www.revisor.mn.gov/statutes/cite/403.02>

## 911 EMERGENCY COMMUNICATION SYSTEM AND SERVICES

### 403.2 EMERGENCY COMMUNICATIONS SYSTEM AND SERVICES REQUIRED.

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

Subd. 2. **State requirements.** The commissioner, shall establish, maintain, and make available to all counties a statewide interoperable ESInet backbone 911 network that ensures interoperability between all PSAPs connected to the network and meets the requirements of counties operating 911 systems who have an approved update to their 911 plan.

Sudb. 2a. **Contractual requirements.**

- The commissioner shall contract with one or more ECNSSPs to deliver the 911 network.
- 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 ECNSSP(s), including how data coordination and quality assurance with the counties will be conducted.
- The contract language or subsequent amendments to contracts between the parties must contain provisions for resolving disputes.
- All data required under this chapter or Minnesota Rules 7580 to route 911 calls, provide caller location, or to validate possible 911 caller location

**Commented [JR20]:** This use does not fit the definition of 911 service as defined in this chapter. Not sure what to suggest for replacement.

**Commented [SS(21R20)]:** With the suggested update to the definition of 911 service this may be acceptable.

**Commented [SS(22)]:** The state cannot be liable for undefined or agreed upon requirements of every PSAP unless they are documented and are mutually agreed upon between the commissioner and the county. This is to ensure interoperability.

This is an established process per 7580.1000  
**MODIFICATION TO PLAN.**  
<https://www.revisor.mn.gov/rules/7580.1000/>

**Commented [JR23]:** MESB still has questions about the ability to get information and data about the system/outages/etc. if we are not on the contract. Email sent to Dana to discuss 8.17.21

**Commented [S(24R23)]:** Not to replace a discussion with Dana but I'd suggest that MESB would be eligible for an agreement akin to sub 2b. where these types of service levels and access to information can be detailed.

**Commented [JR25R23]:** That could work; let me ponder that for a bit.

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information that is utilized, or intended to be utilized, by the 911 system shall be provided by the counties and the state without cost and shall be utilized by ECNSSPs 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 7580.

Sudb. 2b. **Intergovernmental Agreements.** Intergovernmental agreements may be implemented between the Commissioner and counties or regional boards in support of 911 system plan changes, communicate the network design, and specify cybersecurity standards. The Commissioner shall develop the master agreement in collaboration with the governmental entity.

Sudb. 3. **County requirements.** Each county shall operate and maintain a 911 system and provide 911 services.

Sudb. 3a. **County Data Obligations.** Each county is responsible to create and maintain a master street address guide and Geographical Information Systems (GIS) data necessary to support accurate 911 call routing and location validation required to support the 911 network.

Sudb. 3b. **911 plans.** Each participating county, federal, tribal or other organizations shall maintain and update a 911 plans that accurately documents current operations and 911 system configurations within their PSAP per MN 7580. 911 system plans need to be reviewed by the commissioner for compliancy with 911 network and cybersecurity standards per MN 7580.

Sudb. 4. **Secondary PSAP requirements.** Secondary PSAPs may be required to engage in agreements with the Commissioner regarding network design standards, cybersecurity standards and 911 fee audits.

Sudb. 5. **Multijurisdictional system.** The 911 network, 911 services and/or 911 systems may be multijurisdictional and regional in character provided that design and implementation are preceded by cooperative planning on a PSAP-by-PSAP basis. An intergovernmental agreement shall be in place between the participating government entities in a multijurisdictional or regional system and the commissioner is notified of this 911 plan change per MN 7580.

Sudb. 6. **Connected originating service provider requirements.** Every OSP shall allow Minnesota customers to access 911 without charge, and deliver the request for emergency assistance (911 call) to the Minnesota ESInet 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 or geographic location, or primary place of use address.

Sudb. 7. **Pay phone requirements.** Every pay phone owner and operator shall permit dialing of the 911 number without coin and without charge to the caller.

**Commented [JR26]:** All statutory references to 403 sections must be updated.

**Commented [SS(27R26)]:** Will be reflected in strikethrough/underline version appropriately.

**Commented [SB28R26]:** Thank you, I also had this marked repeatedly.

**Commented [JR29]:** Another MESB concern: per our JPA the metro counties expect us to be involved in how calls are delivered to PSAPs so PSAPs can use their 911 systems to answer calls and provide 911 services. How might this fit into this statutory environment? Would it be covered under some sort of IGA with ECN?

Per this section, counties/PSAPs are only responsible to connect to state network and have no role in how calls get delivered to their PSAPs.

**Commented [S(30R29)]:** I'm thinking its the county obligation to either meet the requirements themselves or through powers given to another entity. Perhaps a Subd. 3c that gives counties the legal right to assign these obligations to be fulfilled by a non-governmental entity?

**Commented [SS(31)]:** With updated definition would suggest reverting back to 911 services.

**Commented [JR32R31]:** Ok

**Commented [SS(33)]:** Suggestion: Each participating county or any other participating governmental agency shall maintain an updated 911 system plan that accurately documents current operations and 911 system configurations within their PSAP.

**Commented [JR34R33]:** Good suggestion

**Commented [SB35]:** This is duplicated in your 403.4 Subd. 1. Is it necessary to be in both places?

**Commented [S(36R35)]:** will remove 1; will remove second one

**Commented [JR37]:** Could remove if go with new/revised definition of 911 service

**Commented [SB38]:** I have some concerns about this language and the perception with ECN "coordinating" these agreements they are being more involved than necessary. If agencies wish to enter into agreements, as long as they are meeting the other requirements set forth, I would imagine that ECN's participation in these discussions would be minimal.

**Commented [S(39R38)]:** ECN manages the 911 plans and issues acknowledgement of plan change letters. The language does not state ECN shall/must coordinate these decisions but that the planning would be done in coordination with ECN. This give ECN the legal right to do this not the right to decide anything.

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- Subd. 8. **Multistation or PBX system.** Every owner and operator of a multistation or private branch exchange (PBX) multiline telephone system shall design and maintain the system to dial the 911 number without charge to the caller.

<u>Current Statute:</u>	<u>Changes:</u>
Section Renumbered	From 403.25 to 403.02
403.025 Subdivision 1. <b>General requirement.</b>	Renumbered/Renamed to Subd. 3. County Requirement
403.25, Subd. 2. <b>Multijurisdictional system.</b>	Renumbered to Subd. 5. Multijurisdictional system
403.025 Subd. 3. <b>Connected telecommunications service provider requirements.</b>	Renumbered to Subd. 6. <b>Connected originating service provider requirements</b>
403.025 Subd. 4. <b>Wireless requirements.</b>	Removed and requirement absorbed into Subd. 6. <b>Connected originating service provider (OSP) requirements</b> as OSP is defined to include wireline, wireless and VOIP providers.
403.025 Subd. 2 <b>State Requirements</b> and Subd. 3. <b>County Requirements</b> (and subcontents) <b>NEW</b>	The current statute has not been updated to reflect the role the Commissioner has played (for 10 years) contracting for 911 network services on behalf of the Minnesota PSAP. The current language refers to a time when a three-way contract between wireline phone providers, PSAPs and the state was the process. The technology has force the industry out of this individual contract model to one of regional or statewide.
403.025 Subd. 7. <b>Contractual requirements.</b>	Renumbered to Subd. 2a under new Subd. <b>2 State Requirements</b>

<https://www.revisor.mn.gov/statutes/cite/403.025>

**403.003 911 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.** (no changes) **(a) On or before July 1, 2021, every** public safety answering point must maintain a telephone cardiopulmonary resuscitation program by either:

**Commented [TH40]:** Would it be possible to recommend to the legislature that we add some language here to the statute to provide some clarification to the ambiguity they caused in adding this language and changing this may to a shall? To whom should we be offering this referral? The literal reading of this sentence would indicate that, where a mental health crisis team is available, a caller to the 911 system shall receive a referral to that team. There is no language qualifying to whom that referral shall be given. Even if you wish to extend the term "appropriate response" to the clause following the comma, that now requires my dispatchers to determine who is appropriate for this referral based only upon a brief telephone conversation. I doubt that any trained medical professionals would be willing to undertake that task under similar circumstances. What will be sufficient to satisfy this requirement for a referral? The law should recognize that there are cases where a referral would not be appropriate. For instance, a person in an acute mental health crisis who is also threatening to harm others may not perceive a referral to a mental health crisis team as a welcome gesture and could become escalated at this referral. The law should also have some indemnifying language in it relieving dispatchers of liability in cases where they make a mistake in good faith. Right now, the law requires that my dispatchers, who have little or no training in diagnosing or recognizing symptoms of a mental health crisis, shall provide a referral to those who require it. If they make a mistake, they have violated the law. If we are fixing other issues in this statute, this seems like a glaring issue that must be addressed.

**Commented [S(41R40):** Troy, your frustration is felt by all and unfortunately there is no quick fix. In the short term, each PSAP is going to have to define the terms "referral" "911 system" and "mental health crisis team" to a level that your county attorney can defend your implementing the law.

We have lots of things to sort through in able for our MN PSAPs to have any opportunity to operationalize the ambiguous language in this mental health addition to the 403! Despite significant opposition, NAMI was able to tuck this into the omnibus bill at the 11th hour.

While I don't have a definitive solution, they are all legitimate questions. ECN is taking the following steps to assist PSAPs.

1. ECN is preparing, in collaboration with legislative support from Jordan/Katie and our PIO Jen, a one pager that offers PSAPs some guidance/suggestions on how PSAPs might best work with their legal advisers to implement/operationalize the legislation until we have an opportunity to do the following:

- a. Meet with colleagues at MDH, DHS, MSA, MN Chiefs of Police (scheduled 9/8) to work collaboratively on approaching NAMI, seeking their cooperation in working WITH ALL OF US who are affected by this language to

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- (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.

(b) 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) 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).

(d) 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.

(b) 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:



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- (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 telecommunications that have received training in cardiopulmonary resuscitation.

**403.004 911 NETWORK OPERATION AND MAINTENANCE.**

Subdivision 1. **Operate and maintain.** The Commissioner shall operate and maintain a statewide 911 network meeting the requirements 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 organizations connected to the statewide 911 network shall operate and maintain a 911 system that meets the requirements of governmental agencies whose services are available through the 911 network

Subd. 1a. The Commissioner shall provide geospatial data validation and aggregation tools counties need to share the GIS data required for the 911 Network.

Subd. 2. **Agreements for service.** The state shall contract for facilities and services associated with operating and maintaining the Minnesota statewide 911 network and ESInet. The contract and any subsequent amendments shall include a description of the services to be furnished and the terms of compensation based on the prices agreed to by the parties.

Subd. 3. **Responsibilities of PSAPs.** Each PSAP connecting to the statewide 911 network shall 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.

Sudb. 3a. 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.

**Commented [SS(42):** This is 911 Network not 911 system. A 911 system is inside the 4 walls of the PSAP.

**Commented [JR43R42]:** So wouldn't we want the header to be 911 Network Operation and Maintenance then?

**Commented [S(44R42):** That makes the most sense.

**Commented [JR45]:** Should there be language that requires any counties/regions not participating in the state-provided network to be interoperable with the state network?

Also, should there be interoperability requirements for federal/tribal/others operating their own 911 systems/networks?

**Commented [SS(46R45):** Propose 3b. to address above interoperability requirement?

**Commented [JR47R45]:** That could work. I'd like to hear from others on this.

**Commented [S(48R45):** add 3b

**Commented [JR49]:** General question, will Rules be updated? They are woefully out of date as well...

**Commented [S(50R49):** I think we should look at them as a supplementary submission to this statute

**Commented [S(51):** do we need to be more specific to what rule?

**Commented [S(52):** Was put in wrong Section. See below.

<u>Current Statute:</u>	<u>Changes:</u>
Section Renumbered/Renamed	From 403.05 <b>911 SYSTEM OPERATION AND MAINTENANCE.</b> to 403.004 <b>911 NETWORK OPERATION AND MAINTENANCE.</b> This to account for added definition for 911 Network

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403.05 Subdivision 1. <b>Operate and maintain. &amp; Subd. 3. Agreements for service.</b>	Definition now reflects the role of the commissioner to provide and contract for a 911 network and the tools necessary for Counties to provide data required for that network. New 403.03 Subd 3 <b>County Requirements</b> now covers the language in the old subdivisions of this section.
403.05 Subd. 2. <b>Rule requirements for 911 system plans</b>	Renumbered/Renamed to Subd. 3 <b>Responsibilities of PSAPs</b> NOTE: Subd 3b features language that would allow PSAPs or region to opt out of the state network as long as their network was interoperable.

<https://www.revisor.mn.gov/statutes/cite/403.05>

#### 403.005 COMMISSIONER DUTIES

Subdivision 1. **System coordination, improvements, variations, and agreements.** The Commissioner may coordinate with counties on the management and maintenance of their 911 systems. If requested, the Commissioner shall aid counties in the formulation of their PSAP plans, system design plans, performance and operational requirements, and procedures which will improve the operation and maintenance of their 911 systems.

Subd. 2. **Connection plan required, reviewed, and compliance enforced.** The Commissioner shall 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 ESInet must comply with Minnesota Rules.

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

Subd. 3. **Biennial budget; annual financial report.** The Commissioner shall prepare a biennial budget by December 15 of each year, and shall submit a report to the legislature detailing the expenditures for maintaining the 911 network, the 911 fees collected, the balance of the 911 fund, 911-related administrative expenses, and the most recent forecast of revenues and expenditures for the 911 emergency telecommunications service account, including a separate projection of E911 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 network.

Subd. 4. **Waiver.** Any county, federal, tribal or other organizations connected to the statewide 911 network or originating service provider may petition the commissioner for a waiver of all or portions of the requirements. A waiver may be granted upon a

**Commented [JR53]:** Suggest including duties to:

1. ensure the 911 network (including NGCS) meets requirements of PSAPs
2. coordinate with MN GAC and counties to align data requirements with other statewide geospatial technology, data and service projects
3. (and this may be part of NGCS) provide geospatial data sharing methods, tools and map services to meet county needs to share, utilize and collaborate on NG911 data
4. provide system analytics and error reporting to allow PSAPs and/or regions to effectively monitor service levels.

**Commented [S(54R53)]:** 1. This is addressed in 403.027 subd. 2 2. there isn't any legal reason ECN can't currently coordinate with MN GAC. I would suggest this is more appropriate for SECB in regards to standards being developed. 3. we can add this as subd 1a 4. what system? 911 system or is this 911 network as defined? Like #1, this may be more appropriate in 403.4 and will be included in the interagency agreement.

**Commented [JR55]:** In 403.027, Subd. 6 in this draft, OSPs are required to provide access.

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demonstration by the petitioner that the requirement is economically infeasible, as described in Minnesota Rules 7580.

Current Statute:	Changes:
Section Renumbered	From 403.06 to 403.05
403.05 Subdivision 1. <b>System coordination, improvements, variations, and agreements.</b>	Broken into Subd. 1 and 2. Updated to reflect role of Commissioner operationally within the PSAP as it relates to the newly defined 911 system but also the role managing the 911 network.

<https://www.revisor.mn.gov/statutes/cite/403.06>

#### 403.006 NETWORK STANDARDS ESTABLISHED; DATA PRIVACY.

Subdivision 1. **Rules.** The Commissioner shall establish and adopt in accordance with chapter 14, rules for the administration of this chapter and for the development of the statewide 911 network including:

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

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

Subd. 3. **Location data.** All OSPs must provide to the 911 network, at the time of the 911 call, the location of the device making the 911 call, unless there are circumstances beyond the control of the provider. Any OSP supplying location of 911 calls in civic address form must pre-validate the address to location data supplied by the county and accessible through the NGCS.

3a. **Access to data for accuracy verification.** OSPs shall, upon request of the state, a region, the ECNSSP or a PSAP, and at no cost, provide a copy of subscriber address location information or GIS data used by the OSP which is necessary to verify location and routing accuracy of 911 calls. Any ECNSSP routing 911 calls shall, upon request of the state, a region, or PSAP, provide, for the purpose of verifying routing accuracy, a copy of routing files used in determining PSAP selection.

**Commented [JR56]:** General question, will Rules be updated? They are woefully out of date as well...

**Commented [S(57R56)]:** I think we should look at them as a supplementary submission to this statute

**Commented [S(58)]:** do we need to be more specific to what rule?

**Commented [S(59)]:** Ask about adding ..."The Commissioner shall establish and adopt in coordination with the SECB and chapter 14..."

**Commented [SS(60R59)]:** The work group has decided to hold off.

**Commented [JR61]:** Is there a role for the SECB in establishing some of these standards, as it does for the ARMER system?

GIS workgroup recommendation is for standards applicable to counties to be made in a collaborative environment, like SECB, not simply within a single state agency.

**Commented [S(62R61)]:** I think they *must* be SECB standards but I think that the buck needs to stop at ECN's feet to ensure that those network standards are developed to ensure that those who connect to the network meet minimum standards. The SECB can't be held liable for those standards not being developed but if the 911 network were compromised because of a lack of a cybersecurity standard, ECN can be held to that fire. Also, ECN has the ability to contractually engage vendors who may hold the the SME expertise in regards to the 911 network and cybersecurity.

Perhaps it needs to be a SECB standard that ECN is responsible for?

**Commented [S(63)]:** maybe a different term? defined term?

**Commented [S(64)]:** These are more appropriate for a design or performance standard and the ability to apply for a variance or waiver is already in statute

**Commented [SB65]:** Slightly contradictory with 403.27 Subd 6 which states they have to provide it unless they can't for circumstances beyond their control. Maybe the language in one or the other can be adjusted to parallel each other so there isn't a conflict if they don't provide them and cite one section of statute vs the other?

**Commented [SS(66)]:** Add language about free and paid

**Commented [SB67]:** Did we not also discuss including Tribal in these types of entity listings?

**Commented [S(68R67)]:** we can check on this

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- a. OSPs shall upon request of the state, a region, the ECNSSP 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 requestor.
- 3b. **Database standards in metropolitan area.** The Metropolitan Emergency Services Board shall establish and adopt 911 database standards for OSPs operating in the ten-county metropolitan area 911 system and transmit 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 network or systems under this chapter and rules adopted pursuant to subdivision 1 are private data and may be used only:
- (1) to identify the location or identity, or both, of a person or device calling 911 PSAP; or
- (2) by a PSAP to notify the public of an emergency.
- (b) The information furnished under this chapter and rules adopted pursuant to subdivision 1 may not be used or disclosed by PSAPs, their agents, or their employees for any other purposes except under a court order.
- (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.

<u>Current Statute:</u>	<u>Changes:</u>
Section Renumbered	From 403.07 to 403.006
403.07 Subd. 3. <b>Database.</b> Renamed	Subdivision updated to "Location Data" as it relates to the GIS data requirements for NG9-1-1 NGCS. In the legacy 911 technology, the location data was created and stored by the wireline providers with updates suggested by the PSAP. In NG9-1-1, the location data is provided by each County (see County Requirements 403.02 Subd. 3)
403.07 Subd. 5. <b>Liability</b>	Moved to below section regarding OSPs

<https://www.revisor.mn.gov/statutes/cite/403.07>

**403.007 ORIGINATING SERVICE PROVIDERS (OSPs).**

- Subdivision 1. **Duties.** Each OSP shall cooperate in planning and implementing integration with the statewide 911 network to meet Federal Communications Commission and PUC 911 requirements, as applicable. .
- Subd. 2. **Scope.** Planning considerations must include a plan to interconnect to the 911 network POIs, the retention and re-use of existing 911 infrastructure, and the

**Commented [S69]:** Do we need liability language for Counties?

**Commented [TH70]:** \*\*Grammar/style comment\*\*  
We need a space here after the "and."

**Commented [SB71]:** Since this isn't in the definitions, I think it should be spelled out as it is in other sections.

**Commented [S72R71]:** Added definition

**Commented [JR73]:** Question: if this language about cost is included, does that give the OSPs the impression that they will get cost recovery? I think we want the OSPs to pay their own costs to get to the POIs, correct?

**Commented [S74R73]:** Good catch!

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implications of the Federal Communications Commission's wireless location accuracy requirements.

Subd. 3. **Plan integration.** OSPs shall annually submit plans to the Commissioner detailing how they will connect, or confirming how they already connect, to the statewide 911 network.

Subd. 4. **Liability.** (a) An OSP, its employees, officers, directors, vendors, or its agents are not liable to any person who uses the 911 network for the release of any subscriber information or other data required to any PSAP as required or provided for under this chapter. An OSP, its employees, officers, directors, vendors, or its agents are not liable to any person for the good-faith release to emergency communications personnel of non-public data, including, but not limited to, nonpublished or nonlisted telephone numbers.

(b) An OSP, its employees, officers, directors, vendors, or its agents are not liable to any person for civil damages resulting from or caused by any act or omission in the delivery of 911 calls or the development, design, installation, operation, maintenance, performance, or provision of the 911 network, except for willful or wanton misconduct.

(c) A multiline telephone system manufacturer, provider, or operator, its parents, subsidiaries, employees, officers, directors, vendors or agents are 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.

(d) An OSP that participates in or cooperates with a PSAP in notifying the public of an emergency, as authorized under 403.07, subdivision 4, is immune from liability arising out of the notification, except for willful or wanton misconduct.

(e) OSPs must report network outages per FCC requirements and satisfy other specific thresholds in the Federal Communications Commission's Network Outage Reporting System (NORS) to both the affected PSAPs and the Commissioner.

<u>Current Statute:</u>	<u>Changes:</u>
Section Renumbered/Renames	Renumbered from 403.08 to 403.007. Renamed from WIRELESS TELECOMMUNICATIONS SERVICE PROVIDER. to ORIGINATING SERVICE PROVIDER (OSP). The reason for this is twofold. First, the newly defined term OSP includes wireless, wireline and VOIP carriers who drop 911 calls off at the edge of the state-run 911 network to be

**Commented [JR75]:** Question: do we want to include 30 minutes or simply refer to FCC requirements? What if FCC changes the requirement to 15 minutes, then statute would need to be changed. Just a thought.

**Commented [SB76R75]:** I agree with this, setting a specific timeline that would require changing statute if regulation changes seems to be a bit limiting.

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	transported to the PSAP. The current statute is out of date and was originally written when only wireline carriers existed then updated to add wireless. VOIP carriers are not currently included in statutory language thus can operate differently than their wireless and wireline counterparts when it comes to 911 regulations in Minnesota. This needed to be remediated, thus the new definition of OSP and this proposed rewrite covering all types of carriers. Second, the state is in the process of implementing a Ingress network that features POIs that OSPs must interconnect to in order for their customers to be able to transmit 911 calls. The current statute does not reflect this updated technology in 911 network operations thus there is no law that requires OSPs to make this connection.
403.08 Subd. 1. <b>Duties</b>	Subdivision renumbered and updated to cover OSPs not just wireless providers. It also has removed the right for OSPs to remit reimbursement request to the state for cost recovery. Cost recovery is an artifact of legacy 911 where carriers were reimbursed for their costs to maintain specific infrastructure of the network. The network configurations have now changed and using 911 fees to pay cost recovery is about to be disallowed by the FCC thus the state needs to work towards removing this from law.
403.08 Subd. 2. <b>Scope</b>	Definition updated to reflect on the current 911 network updates and requires the OSPs to provide to the state an interconnection plan to the POIs.
403.08 Subd. 3. <b>Plan integration</b>	Definition updated to reflect on current network updates and requirements of OSPs to remit a updated interconnection plan annually or communicate no change.
403.08 Subd. 4. <b>Liability</b>	Definition was updated to reflect current 911 network technology and OSP definition.

<https://www.revisor.mn.gov/statutes/cite/403.08>

**403.008 ENFORCEMENT.**

Subdivision 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 OSP that refuses to comply with this chapter.

**Commented [JR77]:** Should this be in statute or should it be part of the OSP/Ingress provider agreement?

**Commented [SB78R77]:** Good point, perhaps these two items (e and f) could be included in the agreement, and just summed up to be one item with the FCC requirements, or similar language.

**Commented [S(79R77):** This can "live" in the performance standards rules

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<u>Current Statute:</u>	<u>Changes:</u>
Section Renumbered	From 403.09 to 403.08
403.09 Subd. 2 <b>Commissioner Authority</b>	Definition update to feature OSP not just wireline provider.
403.09 Subd. 3 <b>Dispute resolution</b>	Removed because the section/chapter it references is now changed to reflect a single contract between the state and the network provider not 3-way contracts between the county, the state and a wireline provider.

<https://www.revisor.mn.gov/statutes/cite/403.09>

**403.009 COOPERATIVE AGREEMENT.**

- Subdivision 1. **Authority.** All public government agencies and counties that are part of different 911 networks 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 render its services to the requesting party without regard to jurisdictional boundaries.
- Subd. 2. **Notice to public safety agency.** Government agencies with jurisdictional responsibilities shall in all cases be notified by the PSAP of a request for service in their jurisdiction.
- Subd. 3. **Allocating costs.** Government 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 service.

**Commented [SV80]:** Joint exercise of power. Correct reference.

**403.010 911 SYSTEM COST ACCOUNTING REQUIREMENTS; FEE.**

- Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer of a [OSP] 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 wireline or wireless telephone lines, or their equivalent, to offset the costs of managing the 911 network, the Commissioner to offset administrative and staffing costs of the commissioner related to managing the 911 program, to make distributions provided for in section 403.011 Subd. 2, 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.

**Commented [SB81]:** Should this be replaced with the same OSP language being used elsewhere?

**Commented [JR82]:** Does this leave VoIP providers off the hook?

**Commented [SS(83R82)]:** For VOIP it is number of subscribers. For PBX systems, whether they are wireline or VoIP there is a PUC docket that spells out a formula based on number on concurrent outbound PRI lines on their system. This would be "the equivalent"

- (b) Money remaining in the 911 emergency telecommunications service account after all other obligations are paid and defined reserves met must not cancel and is carried forward to subsequent years and shall be appropriated from time to time to the Commissioner to provide additional

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financial assistance to PSAPs for the improvement of 911 systems in compliance with use as designated in 403.011 Subd. 4.

**Commented [S(84):** counties, federal, tribal or other organizations

- (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 establish the amount of the fee within the limits specified and inform the companies and carriers of the amount to be collected. The commissioner shall 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 OSP. 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 costs outlined in 403.113.

**Commented [JR85]:** Should this be removed because 1) bonds are paid and 2) does this make it appear that this could be fee diversion?

**Commented [T(86R85):** I agree with Jill that this sentence should be removed.

**Subd. 1a. Fee collection declaration.** If the commissioner disputes the accuracy of a fee submission or if no fees are submitted by an OSP, the OSP shall 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 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 OSP 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. 2. Eligible telecommunications carrier; requirement.** No OSP may provide telecommunications services under a designation of eligible telecommunications carrier, as provided under Minnesota Rules, part 7811.1400, until and unless the



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commissioner of public safety certifies to the chair of the public utilities commission that the OSP is not in arrears in amounts owed to the 911 emergency telecommunications service account in the special revenue fund.

- Subd. 3. **Local recurring costs.** Recurring costs not covered as part of the state 911 network contract(s) for telecommunications equipment and services at PSAPs must be borne by the local governmental agency operating the PSAP or pursuant to section 403.009 Subd 3. Costs attributable to local government agencies for services not otherwise addressed under section 403.10 or 403.11 must be borne by the governmental agency requesting the elective service.
- Subd. 4. **Originating Service Provider connection, responsibility for costs.** OSPs are required to connect 911 calls originated by their users and subscribers to POIs provided by the state, in accordance with requirements set forth by the commissioner through the rules established under chapter 14. Costs for the connectivity and delivery of 911 calls, including caller location data, to the POIs are the responsibility of the OSP.
- Subd. 5. **Wireless Communications Service Provider Report.** (a) Each September 1st and March 1st, each wireless communications service provider shall report to the commissioner, based on the mobile telephone number, both the total number of prepaid wireless communications subscribers sourced to Minnesota and the total number of wireless communications subscribers sourced to Minnesota. The report must be filed on the same schedule as Federal Communications Commission Form 477.
- (b) The commissioner shall make a standard form available to all wireless communications 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.

<u>Current Statute:</u>	<u>Changes:</u>
Section Renumbered	From 403.11 to 403.10
403.11 Subd. 1 <b>Emergency telecommunications service fee; account.</b>	1a. Definition update to feature OSP not just wireline provider and remove language that made it legal for carriers to remit payment for cost recovery and use 911 fees to do so. Currently, the FCC is proposing to disallow the use of 911 fees for cost recovery and will likely have an active date in 10/2021. 1b. was updated to require the Commissioner to define what the 911 fund reserves are and allow for the amount over that and other obligations to be redistributed to PSAPs for uses outlined in subsequent sections. 1d was

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	updated to include OSPs when it comes to who must collect 911 fees and remit them to the commissioner. Currently only wireless and wireline providers must do so by law. 1e. was removed as this is part of the current law that allows carriers to collect cost recovery.
403.11 Subd. 1a <b>Fee Collection Declaration</b>	Updated to include all OSPs
403.11 Subd. 3-3c	Removed; is part of the current law that allows carriers to collect cost recovery.
403.11 Subd. 3d. <b>Eligible telecommunications carrier; requirement.</b>	Definition update to include OSPs not just wireless providers.

<https://www.revisor.mn.gov/statutes/cite/403.11>

**403.011 911 SERVICE COSTS; FEE.**

- Subdivision 1. **Fee.** A portion of the fee collected under section 403.10 must be used to fund implementation, operation, maintenance, enhancement, and expansion of the 911 network, including acquisition of necessary equipment and the costs of the Commissioner to administer the program in accordance with FCC rules.
- Subd. 2. **Distribution of money.** (a) After payment of the costs of the commissioner to administer the program, the Commissioner shall 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 PSAPs operated by the Minnesota State Patrol, and each governmental entity operating the individual PSAPs 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. 911 funds received under this subdivision shall be deposited 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 tribal 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.

**Commented [JR87]:** Should this be changed to simply 911 SERVICE COSTS; FEE? See earlier comment about using E911/NG911, etc.

Also, Service here doesn't fit with the definition of 911 service in this draft.

**Commented [SS(88R87)]:** 911 Fees should suffice

**Commented [JR89]:** Do we still want to reference E911 here?

**Commented [SS(90R89)]:** Yes; it's my understanding that this prevents the creation of additional PSAPs.

**Commented [JR91R89]:** Ok, but then do we want any provisions related to implementing NG911 systems?

**Commented [S(92R89)]:** Its a good question but I'm not sure this is the spot. I would suggest we address this in the 911 fee usage section under the spirit of prioritizing in upgrading 911 systems to NG911 compliant technology before using 911 funds for other non-NG911 related expenses?

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

Subd. 4. **Local expenditures.** (a) Money distributed under subdivision 2 for 911 systems or services may be spent on 911 system costs for the purposes stated in subdivision 1 as well as spent on allowable expenses per FCC rules 21-80 and MN Rules 7880.

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

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

(c) In no event shall moneys distributed for 911 systems or service be spent for any of the following:

- (1) Transfer of 911 fees into a State or other jurisdiction's general fund or other fund for non-911 purposes;

Subd. 5. **Audits.** (a) Each county, federal, tribal or other organizations connected to the statewide 911 network as described in subdivision 2, paragraph (a), clause (1) or secondary PSAP, must conduct an audit on a per MN Rules 7880 for the use of funds distributed to it for 911 systems and services to ensure the distribution is spent according to subdivision 3. A copy of each audit report must be submitted to the Commissioner.

(b) The Commissioner may request a state audit of a county, federal, tribal or other organizations 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.

<u>Current Statute:</u>	<u>Changes:</u>
Section Renumbered	From 403.113 to 403.11
403.113 Subd. 3 <b>Local Expenditures</b>	Updated definitions. 1a was updated to reflect 911 fees may be spent in accordance with updated FCC rules and MN Rules. 1b was updated to include any costs disallowable by the FCC. 1c

**Commented [JR93]:** Why can MSP use 911 fee funds to pay admin and staffing costs but local PSAPs cannot? See 403.009, subd.1

**Commented [SS(94R93)]:** This is a good point that we should put in the parking lot to address once the FCC rules are finalized next month and we update this section. It seems that per Troy's comment below that the use of 911 fees for staffing costs needs to be addressed.

**Commented [T(95)]:** For reference, here is what was presented as allowable expenses at the FCC meeting on August 2nd:

1. PSAP operating costs, including lease, purchase, maintenance, and upgrade of customer premises equipment (CPE) (hardware and software), computer aided dispatch (CAD) equipment (hardware and software), and the PSAP building/facility.
2. PSAP personnel costs, including telecommunications' salaries and training.
3. PSAP administration, including costs for administration of 911 services and travel expenses associated with the provision of 911 services.
4. Integrating public safety/first responder dispatch and 911 systems, including lease, purchase, maintenance, and upgrade of CAD hardware and software to support integrated 911 and public safety dispatch operations.

**Commented [S(96)]:** 911 system is defined not NG911 system

**Commented [SB97]:** Again, I do not like this language to exclude anything not listed in the above. I think this inappropriately limits expenditures that may, after review, indeed meet the required nexus with 911 and would in fact be eligible under the FCC rules. We may be better served

**Commented [S(98R97)]:** this is current statute language not new (except for removing the enhanced and NG). How this document acknowledges the soon to be finalized FCC rules and how MN will be potentially prioritizing and/or narrowing that list is still work to be done after this

**Commented [SB99R97]:** The current language states "may not be spent on..." not the "any other purposes including but not limited to..." Those read two completely different ways to me. One excludes only these specific

**Commented [S(100R97)]:** Yep, reverted back.

**Commented [T(101)]:** Can you explain why Subd. 5(a) was changed from the existing language that referenced an annual audit requirement?

**Commented [SS(102R101)]:** Audits may need to occur more frequently.

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	was added to explicitly prevent 911 fees being diverted into a general fund or used for non-911 purposes.
403.113 Subd. 4 <b>Audits</b>	Definition updated to include references to MN Rules where allowable uses of 911 fees will be detailed and audits will be referred to.

<https://www.revisor.mn.gov/statutes/cite/403.113>

Proposed  
Statute 403.36  
Language:  
SECB Governance

## **403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD.**

### **Subdivision 1. Membership.**

- (a) The commissioner of the Department of Public Safety shall convene and chair the Statewide Emergency Communication Board.
- (b) The board consists of the following members or their designees:
  - (1) the commissioner of the Department of Public Safety;
  - (2) the commissioner of transportation;
  - (3) the state chief information officer;
  - (4) the commissioner of natural resources;
  - (5) the chief of the Minnesota State Patrol;
  - (6) the chair of the Metropolitan Council;
  - (7) two elected city officials, one from the ten-county metropolitan area and one from Greater Minnesota, appointed by the governing body of the League of Minnesota Cities;
  - (8) two elected county officials, one from the ten-county metropolitan area and one from Greater Minnesota, appointed by the governing body of the Association of Minnesota Counties;
  - (9) two sheriffs, one from the ten-county metropolitan area and one from Greater Minnesota, appointed by the governing body of the Minnesota Sheriffs' Association;
  - (10) two chiefs of police, one from the ten-county metropolitan area and one from Greater Minnesota, appointed by the governor after considering recommendations made by the Minnesota Chiefs' of Police Association;
  - (11) two fire chiefs, one from the ten-county metropolitan area and one from Greater Minnesota, appointed by the governor after considering recommendations made by the Minnesota Fire Chiefs' Association;
  - (12) two representatives of emergency medical service providers, one from the ten-county metropolitan area and one from Greater Minnesota, appointed by the governor after considering recommendations made by the Minnesota Ambulance Association;
  - (13) the chair of the regional emergency services board for the metropolitan area;
  - (14) a representative from one of the Greater Minnesota regional emergency communications or emergency services boards, and;
  - (15) a tribal representative appointed by the Minnesota Indian Affairs Council.
- (c) The board shall coordinate the appointment of board members representing Greater Minnesota with the appointing authorities and may designate the geographic region or regions from which an appointed board member is selected where necessary to provide representation from throughout the state.

**Subd. 1a. Terms.** Board members have no set term and remain on the board until a successor is appointed as provided in subdivision 1. However, with respect to those board members who, under subdivision 1, must be elected officials, a successor must be appointed as provided in subdivision 1 no later than the date that the member is no longer an elected official, unless the member dies while in office, in which case a successor must be named as soon as practicable.

**Subd. 1b. Compensation; removal; vacancies.** Compensation, removal, and filling of vacancies of board members are governed by section 15.0575, except that appointments to the board are not subject to the open appointments process of sections 15.0597 to 15.0599.

**Subd. 1c. Voting.** Each member has one vote. The majority of the voting power of the board constitutes a quorum, although a smaller number may adjourn from time to time. Any motion, other than adjournment, must be favored by a majority of the voting power of the board in order to carry.

**Subd. 1d. Calling meeting.** The board shall convene upon the call of the chair or any six members of the board.

**Subdivision 2. Governance; duties and responsibilities.** The board shall:

- (a) establish bylaws and other organizational procedures to support its function;
- (b) as necessary, establish committees and workgroups to support the board's function. The board shall define the purpose and membership for each committee and workgroup and coordinate the appointment of members; and
- (c) in conjunction with each biennial budget process, submit a status report to the governor and to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over capital investment and criminal justice funding and policy. The report must include a substantive assessment and evaluation of each significant part of the implementation of the Statewide Communication Interoperability Plan with (1) to the extent possible, an update on risks and mitigation strategies; and (2) quantitative information on the status, progress, costs, benefits, and effects of those efforts; and
- (d) define the geographic scope of each emergency communications board or emergency services board region.

**Subdivision 3. Interoperability; duties and responsibilities.** The board is designated as Minnesota's State Interoperability Executive Committee. As Minnesota's State Interoperability Executive Committee, the board shall:

- (a) develop and maintain a Statewide Communication Interoperability Plan;
- (b) develop and adopt technical and operational standards and guidelines for emergency communications interoperability within Minnesota;
- (c) promote coordination and cooperation among federal, state, tribal, and local public safety agencies in addressing statewide emergency communications interoperability within Minnesota;
- (d) advise the commissioner of the Department of Public Safety on matters related to emergency communications interoperability;
- (e) to the extent permitted by federal law, Federal Communications Commission regulations, and the National Telecommunications and Information Administration, develop guidelines and standards for the efficient use of interoperability frequencies on all frequency spectrums assigned to public safety users; and
- (f) to the extent permitted by federal law and treaties with Canada, develop guidelines and standards that support emergency communications interoperability with adjoining states and provinces of Canada along Minnesota's northern border.

**Subdivision 4. Funding and sustainment; duties and responsibilities.** The board shall advise the Commissioner of the Department of Public Safety regarding:

- (a) the allocation and use of funds made available to Minnesota to support emergency communications interoperability, systems, and services;
- (b) the emergency communication funding needs of local, regional, tribal, and statewide public safety agencies;
- (c) the funding necessary to implement, improve, and sustain emergency communication systems and services throughout the state; and
- (d) how capital and operating costs of the "Allied Radio Matrix for Emergency Response," or "ARMER," statewide, shared land mobile radio system backbone are apportioned to users, including the cost of additional participants.

**Subdivision 5. 911 system and services; duties and responsibilities.** The board shall advise the Commissioner of the Department of Public Safety regarding the development, implementation, and maintenance of:

- (a) Minnesota's next generation 911 network, system, and services;
- (b) technical and operational standards related to 911 network and system performance;

- (c) standards and guidelines related to ensuring that 911 services are implemented, operated, and maintained in accordance with statewide, tribal, regional, or local 911 service plans;
- (d) operational standards and guidelines related to the provision of 911 services by statewide, tribal, regional, and local public safety entities;
- (e) standards and guidelines necessary to assure statewide 911 network and system compatibility and interoperability; and
- (f) enhancements necessary to improve 911 network and system performance and operations.

**Subdivision 6. Land mobile radio system; duties and responsibilities.** The board shall advise the Commissioner of the Department of Public Safety regarding:

- (a) the development, implementation, and maintenance of:
  - (1) Minnesota's "Allied Radio Matrix for Emergency Response", or "ARMER", statewide, shared land mobile radio system;
  - (2) technical and operational standards and guidelines related to the ARMER system;
  - (3) standards and guidelines necessary to assure land mobile radio system compatibility and interoperability throughout the state;
  - (4) enhancements necessary to maintain and improve ARMER system performance and operations.
- (b) the review and approval of participation requests from eligible entities to operate on the ARMER system;
- (c) how excess capacity provided in the ARMER system backbone design will be allocated; and
- (d) the coordination and integration of the ARMER system among emergency communications board or emergency services board regions, adjoining states, federal entities, and to the extent permitted by law, with Canadian public safety entities.

**Subd. 6a. Local financing.** A local unit of government that receives state funds for integration with the ARMER system must have a plan approved by the board and must comply with the standards and guidelines contained in the project plan. The board must review and approve all local and regional planning initiatives for connectivity to the system to assure compatibility, interoperability and integration support with the system and plan standards.

As part of the review, the board must require, and a county or local unit of government must provide, a detailed plan including a budget and detailed cost estimates.

**Subdivision 7. Wireless public safety communication services and technology; duties and responsibilities.** The board shall advise the Commissioner of the Department of Public Safety regarding the development, implementation, and maintenance of:

- (a) plans related to the deployment of the nationwide public safety broadband network within the state;
- (b) technical and operational standards and guidelines related to the deployment of the nationwide public safety broadband network within the state; and
- (c) other wireless communication technologies or wireless communication networks for public safety communications, where the board finds that coordination and planning on a regional or statewide basis is appropriate or where regional or statewide coordination has been requested by the Federal Communications Commission or the Department of Homeland Security.

**Subdivision 8. Integrated Public Alert and Warning System; duties and responsibilities.** The board shall advise the Commissioner of the Department of Public Safety regarding:

- (a) the development, implementation, and maintenance of a statewide plan related to the Integrated Public Alert and Warning System;
- (b) technical and operational standards related the Integrated Public Alert and Warning System; and
- (c) enhancements necessary to improve Integrated Public Alert and Warning System performance and operations.



**NOTES:**

Rescind 403.37 POWERS OF STATEWIDE RADIO BOARD.

- Language no longer relevant and/or incorporated into 403.36

Rescind 403.38 STATEWIDE ARMER INTEGRATION.

- Language no longer relevant and/or incorporated into 403.36

Rescind 403.382 REGIONAL EMERGENCY COMMUNICATION BOARDS.

- Language no longer relevant and/or incorporated into 403.36

Rescind 403.40 ADVISORY COMMITTEES.

- Language no longer relevant and/or incorporated into 403.39 and 403.36

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.36 STATEWIDE RADIO BOARD.</b> Subdivision 1. Membership.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 1. Membership.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 1a. Terms.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subd. 1a. Terms.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 1b. Compensation; removal; vacancies.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subd. 1b. Compensation; removal; vacancies.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 1c. Voting.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subd. 1c. Voting.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 1d. Calling meeting.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subd. 1d. Calling meeting.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 1e. Implement plan and establish statewide system.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 1f. Repealed.	N/A
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 1g. State Interoperability Executive Committee.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 3. Interoperability; duties and responsibilities. Subdivision 4. Funding and sustainment; duties and responsibilities.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 2. Plan contents.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 3. Local financing.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6a. Local financing.
<b>403.36 STATEWIDE RADIO BOARD.</b> Subd. 4. Reporting.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 2. Governance; duties and responsibilities.

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Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subdivision 1. General.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 2. Planning.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 3. System architecture.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 4. Implementation.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 5. Assignment of frequencies.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 6. Cost apportionment.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 4. Funding and sustainment; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 7. Excess capacity allocation.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 8. System enhancements.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 9. Technical standards.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 10. Protocols.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 11. Integration.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.37 POWERS OF STATEWIDE RADIO BOARD.</b> Subd. 12. Allocation of money.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 4. Funding and sustainment; duties and responsibilities.

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.38 STATEWIDE ARMER INTEGRATION.</b>	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 6. Land mobile radio system and services; duties and responsibilities.

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subdivision 1. Statewide Emergency Communication Board.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 5. 911 system and services; duties and responsibilities.
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subd. 2. 911 service.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 5. 911 system and services; duties and responsibilities.
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subd. 3. Planning.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 5. 911 system and services; duties and responsibilities.
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subd. 4. 911 service architecture.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 5. 911 system and services; duties and responsibilities.
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subd. 5. Implementation.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 5. 911 system and services; duties and responsibilities.
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subd. 6. System enhancements.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 5. 911 system and services; duties and responsibilities.
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subd. 7. System standards.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 5. 911 system and services; duties and responsibilities.
<b>403.382 STATEWIDE EMERGENCY COMMUNICATION BOARD.</b> Subd. 8. Other emergency communication system planning and coordination.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 7. Wireless communication technology; duties and responsibilities.

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.40 ADVISORY COMMITTEES.</b> Subd. 2. Topical advisory committees.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 2. Governance; duties and responsibilities.

Existing Statute Language	Inclusion in DRAFT Statute Language
N/A	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subdivision 8. Integrated Public Alert and Warning System; duties and responsibilities.

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Proposed  
Statute 403.39  
Language:  
Regional Governance

## **403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.**

Subdivision 1. Establishment. Notwithstanding the provisions of section 471.59, subdivision 1, requiring commonality of powers, two or more counties or a city and one or more counties within a region defined by the Statewide Emergency Communication Board, through action of their governing bodies, by adoption of a joint powers agreement that complies with section 471.59, subdivisions 1 to 5, may establish a regional emergency communications or emergency services board to implement, maintain, and operate regional and local emergency communication systems and services. Where the governing bodies of the participating units of government of a regional emergency communications or emergency services board have approved an amendment to the regional board's joint powers agreement authorizing the incorporation of a federally recognized Indian tribe into the joint powers agreement, the federally recognized Indian tribe may be incorporated into the joint powers agreement upon the adoption of the joint powers agreement by the tribe's governing body. Membership in a regional emergency communications or emergency services board shall include one county commissioner appointed by each respective county board party to the joint powers agreement and an elected official from any city party to the joint powers agreement, and may include additional members whose qualifications are specified in the joint powers agreement.

Subd. 2. Powers. In addition to the powers enumerated in section 471.59, a regional emergency communications or emergency services board, as necessary and convenient to implement regional and local improvements to the emergency communication systems and services provided for in section 403.36, has the following powers:

- (a) to establish bylaws and other organizational procedures consistent with the terms of the joint powers agreement;
- (b) to develop, implement, and maintain regional plans related to the emergency communication systems and services provided for in section 403.36 provided that these plans do not conflict with or supersede the plans established by the Statewide Emergency Communication Board;
- (c) to apply for and hold licenses for public safety frequencies to be used in regional and local improvements, including a regional data system;
- (d) to establish regional technical and operational standards provided that these standards do not conflict with or supersede the standards established by the Statewide Emergency Communication Board.
- (e) to enter into contracts necessary to carry out its responsibilities;
- (f) to acquire by purchase, lease, gift, or grant, property, both real and personal, and interests in property necessary for the accomplishment of its purposes and to sell or otherwise dispose of property it no longer requires;
- (g) to contract with the state of Minnesota, through the commissioner of transportation, for construction, ownership, operation, and maintenance of regional or local improvements to the "Allied Radio Matrix for Emergency Response," or "ARMER," statewide, shared land mobile radio system; and
- (h) to establish regional committees and workgroups to support the board's function. The board shall define the purpose and membership for each committee and workgroup and coordinate the appointment of members.

Subd. 3. Relationship to local governments. Where a regional emergency communications or emergency services board has been established in accordance with this section, local governments and other public entities eligible under part 90 of the FCC rules to operate upon the ARMER system within the region covered by the regional emergency communications or emergency services board must coordinate its implementation through one of the parties to the joint powers agreement. For purposes of grants made available by the Department of Public Safety, a regional emergency communications or emergency services board is entitled to apply for, receive, and administer grants on behalf of one or more public safety entities operating within the counties who are a party to the joint powers agreement.

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

**NOTES:**

Rescind 403.392 REGIONAL EMERGENCY COMMUNICATION BOARDS.

- Language no longer relevant and/or incorporated into 403.39

Rescind 403.40 ADVISORY COMMITTEES.

- Language no longer relevant and/or incorporated into 403.39 and 403.36

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.39 REGIONAL RADIO BOARDS.</b> Subdivision 1. Establishment.	<b>403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.</b> Subdivision 1. Establishment.
<b>403.39 REGIONAL RADIO BOARDS.</b> Subd. 2. Powers.	<b>403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.</b> Subd. 2. Powers.
<b>403.39 REGIONAL RADIO BOARDS.</b> Subd. 3. Relationship to local governments.	<b>403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.</b> Subd. 3. Relationship to local governments.
<b>403.39 REGIONAL RADIO BOARDS.</b> Subd. 4. Scope.	<b>403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.</b> Subd. 4. Scope.

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.392 REGIONAL EMERGENCY COMMUNICATION BOARDS.</b> Subdivision 1. Regional emergency communication board election.	<b>403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.</b> N/A
<b>403.392 REGIONAL EMERGENCY COMMUNICATION BOARDS.</b> Subd. 2. Powers of regional emergency communication board.	<b>403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.</b> Subd. 2. Powers.

Existing Statute Language	Inclusion in DRAFT Statute Language
<b>403.40 ADVISORY COMMITTEES.</b> Subdivision 1. Regional advisory committees.	<b>403.39 REGIONAL EMERGENCY COMMUNICATIONS AND EMERGENCY SERVICES BOARDS.</b> Subd. 2. Powers.
<b>403.40 ADVISORY COMMITTEES.</b> Subd. 2. Topical advisory committees.	<b>403.36 STATEWIDE EMERGENCY COMMUNICATION BOARD</b> Subd. 1e. Committees and workgroups.