STATEWIDE EMERGENCY COMMUNICATIONS BOARD

Legislative Committee

January 9, 2014

Conference Call

MEETING MINUTES

Attendance:

Present	Members/alternates present:
X	Thomas Kaase - Committee Chair/SE Regional Radio Board
X	Thomas Egan/Chris Gerlach/Jill Rohret - MESB
X	Mukhtar Thakur/Tim Lee- MnDOT
	Buck McAlpin –MN Ambulance Assn. Metro
	Scott Reiten– MN Ambulance Assn, Greater Minnesota
X	Rich Stanek/Sandra Westerman-MSA
	Nyle Zikmund – Minnesota State Fire Chiefs Association
	Dave Pecchia – Minnesota Police Chiefs
	Craig Buness/Doug Krier – NW Regional Radio Board
X	Jeff Jelinski/Micah Myers – Central ESB

Others Present and reporting:
Jackie Mines – ECN
Wendy Surprise - ECN

Call to Order
Chair calls the meeting to order at 10:30AM.

NEW BUSINESS /DISCUSSION ITEMS

- Review the representation of committee and solicit input for open slots.

Chair asks Jackie Mines to discuss the Legislative Committee Roster and discuss the vacancies.

Mines states we need an alternate for the Southeast Regional Radio Board, alternates for the Minnesota Ambulance Association (Greater and Metro), an alternate representative for the MSA, an alternate for Minnesota Chiefs of Police Association, and an alternate for the Minnesota Fire Chiefs.

Mines states that she will reach out to those organizations try to get alternate members.

Mines asks if anyone sees an issue with expanding membership on the committee to include all regional radio boards. Mines adds that she would like as much representation as possible, especially during the legislative session.

Rohret says that she does not have an issue. The membership in the Bylaws was specifically described as a minimum membership due to potential quorum issues. She agrees with Mines.

Micah Myers agrees with Mines and Rohret.

Mines says that she will reach out to the Northwest Region and be sure Buness is interested in participating.

Jeff Jelinski asks if Mines would be willing to reach out to every radio board to solicit representation. He would not to see any region cut short and adds that it should really be a team effort.

Mines asks Kaase if he would like her to draft a memo to the regions soliciting participation.

Chair thinks that would be a good idea and thanks Mines.

- Long Term Public Safety Funding Study update.

Mines gives the status of the Funding Study. She says that this has been a very tight timeline to meet. She says she has been very impressed with the dedication that Federal Engineering and their subcontractors have shown to the project. She says that she has only received Task 2 – 5. The *meat* of the report is in the remaining tasks. She will likely get those on Friday or Monday.

Mines says she has reviewed Tasks 2 – 5 because there is a lot of detail in there regarding budget. She wanted to make absolutely sure that the numbers that they projected match the numbers that we projected to them. She also made certain the information regarding NG911 was correct. Our staff provided a lot of information, as well as MnDOT, and some of the counties. Mines knows they have been working hard on this every day. She also says that it's important to get the Study in front of the Funding Study Workgroup and give them time to look at it. She asked for an extension from the two chairs in the Senate and in the House that manage Public Safety Policy. So far she has only been able to speak with staff members who have assured her that it's not a rush. Mines says she would like a stronger confirmation from the two chairs approving the delay.

The plan is to receive the report and get it out to the Funding Study Workgroup on Monday (1/13/14). Once the Workgroup has seen it, she will also provide to Legislative Committee members who would like to review it.

A meeting is scheduled for 1/21/14 for the Workgroup and Federal Engineering. Federal Engineering would have a chance to make changes.

Chair asks Mines if she anticipates any surprises.

Mines says she has only seen the 911 piece, the bond piece and some information on what other states are doing regarding funding. The only information that was new to her was how other states fund their radio programs. Ohio and Michigan have user fees and also have help from the general fund.

- Potential Legislative Items.

Mines says the Governor's office wants to see all legislation that is not really valid anymore, out of date, or not used to be cleaned up and deleted. She presented some ideas to a committee that the Governor has put together to review legislative clean up ideas. She says that there were a few lines in the 403 statute, as it pertains to 911, which were taken out. These were non-controversial. We do know that over the course of the coming year we would like to meet with the carriers to discuss Next Generation specific legislation to add into the statute as it pertains to 911. The carriers get nervous when we make any changes. There didn't seem to be any pushback from this committee. Mines doesn't know if they will accept those changes. That will be all we have up at the Legislature.

Chair says the Governor extended an invitation to the AMC to listen to their concerns.

Rohret has an idea about potentially looking at the definition of infrastructure. Especially as far as general obligation bonds go. Infrastructure tends to focus on brick and mortar and don't think of technology as a type of infrastructure. So much of our infrastructure these days is technology.

Mines says she has not heard anything. She asks if Thakur if he has heard anything.

Thakur says no. Just discussion about cleaning up legislation.

Micah Myers states that recently he has seen some publicized (by the League of Minnesota Cities) meetings being held around the state regarding Wireless Broadband for general use. He asks if we are competing with the Governor's office as they travel around looking for input from cities. Should we be paying attention to this as it pertains to FirstNet?

Mines says that in her opinion, it doesn't hurt to be watching that and hearing what they are saying and putting that together with FirstNet. She adds that we are keeping the new broadband executive director involved in our FirstNet discussions and she is going to sit on a couple of workgroups that are being formed. We aren't sure which ones at this time. Additionally, we have always kept Diane Wells who was the Department of Commerce person that managed that program and supported the Governor's Taskforce on Broadband before they created this office last year. There is some synergy there, not just with FirstNet but also with NG911 in that if there are more options in greater Minnesota for network it is good for public safety. This would have a positive impact on FirstNet options as well as NG911 options for backup network or secondary diverse path network.

Mines is curious about the fact that the legislator who is most interested in that is interested in our funding. She is not sure if they are looking at 911 funding as a way to pay for this. This was discussed a little bit last year so it's something that is a possibility of being put forward. She says we are watching that very carefully.

Myers asks if they are competing interests.

Mines says that she knows that last year they were interested in taking any revenue from the prepaid wireless receipts and dedicating them to the wireless broadband buildout in greater Minnesota. This is something that would be competing for our revenue stream. Mines suggests that if those conversations come up in regional areas, we express our concern about that.

Rohret asks which legislator that was that was interested.

Mines says it's Representative Sheldon Johnson.

- MN.IT Study regarding SECB.

Mines states that at the SECB Meeting in December, the Chair had asked the representative from MN.IT (Dave Van Thiel) to identify the status of their report that is due to the Legislature on January 15. Mr. Van Thiel was not aware of that report and agreed to do some checking.

Mn.IT's legislative liaison met with the Commissioner's office and the response she heard was not to worry…there would be nothing in the report that we should worry about as a Board. Mines says we don't know what the status of the report is. Mines says that the Commissioner made is clear to the Commission at Mn.IT that this is a Board that is independent of our department (DPS) that is made up of Public Safety Stakeholders that would not take kindly to being moved from DPS to any other department without engaging them in that conversation first. Mines says it's difficult to track the status of the report but will keep her eyes and ears open and will let the Committee know if there is any news. This report is due January 15th.

Thakur states that he wants to express his concern about the report that is being generated by legislative and statutory need by the MNiT. He states this is a concern to MnDOT because of the implications it has to everything that we do on the SECB. He adds that MnDOT is in-step with Commissioner Dunaski in seeking clarification and seeing the report ahead of time if we can get it.

Mines states that if there is anything we get ahead of time she will make sure Thakur gets a copy.

Chair says if there are areas of concerns in the report, it will be much more difficult to address once it has been presented.

Thakur agrees.

Rohret says that regardless of whether the report is published with or without information we disagree with, there will be a strong backlash from public safety. She knows that in 2012 the MSA and the MESB lobbied against the State Radio Board going over to MNiT and she anticipates that would happen again. We would hopefully get the Ambulance Assn., the Police Chiefs and Fire Chiefs involved this time.

Chair agrees that last time around it was quite contentious. Everyone agreed that the SECB was a good fit where it was at.

Sandra Westerman agrees.

Mines states that if we hear anything about this, we can call a meeting together. She adds that that might be a good time to take up the Governor on his offer to meet with various groups and discuss issues. It seemed like it was going to be a rather quiet session with the "Unsession" items being controversial. Mines says she isn't sure about that now.

Chair says he is a little leery of Mn.IT's statement that there is nothing to worry about.

Thakur agrees.

Meeting Adjourned at 11:32

STATEWIDE EMERGENCY COMMUNICATIONS BOARD

Legislative Committee

March 6, 2014

Conference Call

MEETING MINUTES

Attendance:

Present	Members/alternates present:
	Thomas Kaase - Committee Chair/SE Regional Radio Board
X	Thomas Egan/Chris Gerlach/Jill Rohret - MESB
X	Mukhtar Thakur/Tim Lee- MnDOT
	Buck McAlpin –MN Ambulance Assn. Metro
	Scott Reiten– MN Ambulance Assn, Greater Minnesota
X	Rich Stanek/Sandra Westerman-MSA
	Nyle Zikmund – Minnesota State Fire Chiefs Association
X	Cari Gerlicher – Minnesota Police Chiefs
	Craig Buness/Doug Krier – NW Regional Radio Board
X	Jeff Jelinski/Micah Myers – Central ESB

*members attending marked with highlight

Others Present and reporting:

Jackie Mines – ECN
Margaret Vesel – Best and Flanagan
Diane Wells – DEED (Broadband Development)
Dave Eischens – Motorola
Brandon Abley - ECN
Cathy Anderson - ECN

Call to Order

Jackie Mines calls the meeting to order at 10:07 a.m. Mines states previous meeting minutes or approval of agenda cannot be voted upon as there was no quorum at start of meeting. This will be an informational meeting only.

NEW BUSINESS /DISCUSSION ITEMS

- Funding study outcome (Jackie Mines)

Mines said included in the meeting materials were two pages of high-level funding study points that should be helpful. She will be sending out a new version with some changes after this meeting and asked members to wait and use this version when handing them out or talking with legislators.

Mines asked if there were any concerns or questions about the document as it was presented. There were no questions.

- Un-Session ECN initiatives (Jackie Mines).

Mines explains that the Governor requested that department staff review legislation pertinent to their work and identify redundant or outdated statute language .

Included in the meeting packet were ECN's items. Director Mines indicated that most of the items were either outdated or redundant language. She stated none of the items should be controversial but she wanted to make everyone aware of it.

Mines asked if there were any questions.

Commissioner Egan mentions to Jill Rohret that she indicated she would be talking to Pete (Eggimann) about that.

Rohret said Pete indicated it was cleaning up old language and that he said something about double-billing and something on the order of this clears that up.

Rohret read from Pete's email, "Remove the language required to reimburse wireless carriers from the 911 expenses because a lot of them are already adding on a 911 service compliance fee on their bills".

Mines indicates this language was removed in this version - any requirement to pay them a fee or pay to connect to the 911 network. She states we don't currently do that today and in some cases, we've purchased some trunking and are paying for it but those are all old outdated network and we're trying to work with Century Link to get that deleted.

She says carriers could have an issue with that, because they don't like us to touch this legislation at all. She states she could get some pushback, but it would be more to the extent of leaving the language in just in case they want to be reimbursed for something in NG911. The FCC also mandates carriers connect to the network. She says from her perspective, all the language is either outdated or redundant based on what the FCC requirements already are.

She states there are a couple references to PSAPs being required to take 911 calls from 911 wireless carriers but all our PSAPs already do that, so it's redundant and out of date, as well.

Rohret thanks Mines.

Mines says she sent a copy of the Un-Session ECN initiative, but she didn't know if it had been introduced yet, as she hadn't heard anything back yet from Jared. She thinks these are coming not as a Department of Public Safety initiative, but either from legislature directly or from the governor's office, and she has no idea what bill those would be in.

- Broadband bills (Brandon Abley)

Mines turns the conversation over to Brandon Abley about broadband bills.

Sandra Westerman inquires as to whether or not one of the bills is addressing the issue of sales tax exemption for a Joint Powers Board.

Westerman asks Mines if she's aware of that initiative, and Mines replies that she is not.

Westerman states there was a bill passed last year that exempted local units of government from paying sales tax. She says Joint Powers Boards were not exempted. She believes it was Minnesota – Metro Association of Counties or Minnesota Counties Association - was going to go forward and seek legislation this year to ensure that Joint Powers Boards were covered. She wanted to make sure it's is on the radar, but she didn't' have a bill number, as she hadn't been tracking it.

Mines thanks Westerman for bringing it forward and says it was not something she was aware of.

Commissioner Egan states that Dakota County Communications is a Joint Powers authority and they would have a strong interest in the outcome of that.

Mines asked if either of them come up with a bill number that they please share it with her. She is finding bills by searching with keywords.

Rohret states they just got their bill tracker from the lobbyist yesterday, and she did not see it on there. She says they are tracking it, as it affects them, but it didn't appear anything had been introduced yet.

Margaret Vesel says she doesn't believe it's been introduced independently, but as she understands it, it is going to be part of a bigger package. She says they are waiting to see how it's going to work out.

Mines states she will try to watch for that one when it comes in and will keep everyone informed. She thanks them for bringing it forward.

There are no other questions or comments, so the conversation is turned over to Brandon Abley.

- Broadband bills (Brandon Abley)

Abley introduces broadband infrastructure related bills that are in draft at the legislature. He says it's not immediately a public safety issue, but it's something in long run that will be of interest, especially since we're building a large network with FirstNet eventually.

He says that the bills included in the packet were not finished at the time he submitted them to the committee and thought there had since been an update. He mentions that people can look the bills up.

He says there's a significant general fund budget surplus this year, so everyone has their hands out and everyone has ideas for new programs.

He mentions that one of the ideas getting some support is to provide grants for building broadband infrastructure to local units of government in one way or another. The money would be granted

out to counties or cities, and then they'd partner with their Telco to expand broadband service to their communities.

Abley continues on that cost numbers vary between $30 and $200 million, and the money would come to communities through the Department of Economic Development. He wants to make sure this group pays attention, because it affects the communities in a number of ways.

He says if this grant program was to be approved by the legislature and implemented, Abley encourages everyone to work within their areas to make sure when planning to build broadband infrastructure that long-term thinking is part of their use case, considering what is needed for backhaul for FirstNet and items like this to have a more holistic view. It might also help your case when your county applies for a grant.

Brandon states he has included a couple of those drafts, and you can follow up with bills as they go. He says there seems to be good bipartisan support. At a hearing yesterday, when they were talking about this same category, everyone seemed to be pretty supportive about investing state dollars in broadband infrastructure in the state. It's a good opportunity to think holistically and long-range, not just in terms about getting faster DSL to homes.

Abley asks if there are any questions.

Micah Myers asks if there has been any indication as to how they will prioritize who gets money for this. He asks if it will be underserved areas and who is going to be eligible to apply for these grants.

Abley responds that it varies, depending on which version of the bill you read. There are two drafts he sent in with this agenda, and he says he's seen a number of proposals and counterproposals. The consensus at the capitol is that an underserved area would be a factor but not exclusively, because someone can make a case for other areas that are not underserved. For example, St. Paul internet speeds don't always meet the state's definition of broadband with cable or DSL, so someone could make a case and possibly receive some funds.

Abley says that these things come up in committee, and there's always a representative from an urban area who will say the infrastructure in big cities is not so great, either.

Myers questions the type of partnerships with the Telcos. He asks if the partnership is to prevent them from trying to push back and says that Telcos view it as threatening when government steps in to the broadband arena, since government agencies are some of their biggest customers.

Abley states that SF 2056 lists the eligible applicants, which include incorporated business or partnerships, political subdivisions, tribes, non-profits, cooperatives, and limited liability corporations organized for the purpose of expanding broadband access. Broadband runs the whole spectrum from Telco to some kind of partnership agreement between the county and Telco, and Anoka County would be a good example of that. Another example would be an actual cooperative established specifically for providing broadband service in the community.

Abley continues on that another theme coming up with these bills is providing local governments with the authority to form JPA's for the purpose of providing broadband internet in large areas and

provides the example of having a Central Minnesota broadband authority that would build up the infrastructure and run fiber to homes. He says that is something the industry tends not to like, and they would argue that they can do it better and cheaper.

Myers states the Monticello project has been the poster child for what Telco's would do when government entities enter into the realm. He says if he wanted to provide the services, it requires the super majority to be able to do it. It has to go in a referendum to the general public, but he asks if that applies to when you do a JPA in a regional co-op made up of municipalities.

He says they already have a JPA with the school district and have a fiber network with close to 100 miles of fiber in the ground. He says they reach into the communities south of them and have been looking at partnerships and that they have a Telco looking to provide wireless service. He says he has to be cognizant where he steps in that realm of providing a service and that if it's simply transport for them, he can fall under loopholes. He states he will put time into this bill.

Abley says it's not specifically, immediately a public safety issue, but depending on how these things get marked up, it could go exactly the opposite way. If a bill expands the government's ability to provide municipal networks and the bill gets marked up and it's the opposite outcome, it could be made illegal for a municipality to provide a network.

He says that has happened in some states and that grant dollars used to build broadband infrastructure should be of principal interest to the committee and to the Board and to us in public safety. Planning should be done up front and can make a big difference in the long run.

Commissioner Egan asks what areas, if any, in the metro would qualify as being underserved for grant purposes?

Abley responds that it depends on how you interpret the maps. He says that's something the Department of Commerce was doing for a long time through Connect Minnesota, and those maps are kind of what the legislature is using to determine which areas are underserved. The State's definition of acceptable broadband service are ten megabits per second down and five megabits per second up being available to the customer.

He states there are communities within the metro area that can't get service like that, especially when you get immediately outside the Twin Cities. For example, Washington and Anoka counties are in the metro area, but when you get toward the outside borders, it can become pretty rural.

Commissioner Egan states there are parts of Dakota County that are totally rural.

Abley says Dakota County great example, because when you get to the southern part, you're in farm country immediately.

Mines says that's all we have to share for information and asks if anyone else has anything else to share with the group.

Myers states a challenge within the funding study is to account for the tax exemptions received by other government entities. The State will seek other sources of revenue to offset the exemption local agencies are now receiving. He mentioned that if the state is losing money in one aspect, they're going to make it up somewhere else. He says he knows there is talk about JPA's and their tax exemption status as he's dealing with them this year. He asked if the JPA's getting tax

exemption would have an impact on fees or whether the state would look for other funding streams.

Mines replies she doesn't know the answer to that question for sure and says regarding the tax exemption last year, they looked toward the 911 fee to fund the tax exemption initially. There could be 911 bills that get introduced from counties in the metro area looking to cover the cost of items for upgrades that have typically been a local cost.

She says when there appears to be a lot of money, people start asking for assistance based on the change in the assistance they got last year. There is no guarantee that if a request goes in with the intent of it being taken out of the general funds that it won't come back to the 911 fee. Even if someone might say they're going after general fund money, since this has its own funding source, that is always a possibility.

Mines asks if anyone else has anything.

There was no response, and she reminds committee members that if things come up between meetings, she will send an email to keep members informed. She invites members to email or call her and keep her advised if anything comes up regarding these bills.

Mines says she knows we were not well attended by the ambulance association.

Cari Gerlicher is on the conference call in place of the Chief's Association, as Dave Pecchia retired. Gerlicher states that Dave is gone and they're not sure when they will have a new Executive Director. She says that conference is the week after the Chief's conference, so she isn't sure how many chiefs will be able to take two weeks off back-to-back. Gerlicher states she will be there for a couple days but not sure which ones.

Mines says she will keep Gerlicher in the loop and asks if she can help try to find someone from the Chiefs of Police Association who would like to be on the Legislative Committee.

Gerlicher says she has a board meeting tomorrow, and she will bring it up.

Mines thanks everyone for attending.

Meeting adjourned at 10:34 a.m.