

section 169.825, subdivision 14, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved at the discretion of the permit holder without prior route approval by the commissioner if:

(1) the total width of the transporting vehicle, including load, does not exceed 14 feet;

(2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12:00 noon on Sundays or holidays;

(3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;

(4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and

(5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes movements of the permitted vehicle on an interstate highway, and movements of 75 miles or more on other highways.

#### Sec. 9. NORTHERN ZONE LOAD RESTRICTION STUDY.

The commissioner of transportation shall conduct a study of load restrictions and seasonal load increases in the northern zone of Minnesota and make recommendations regarding the establishment of one or more new zones given the varying climate in the northern area of the state. The commissioner shall report findings back to the committees of the senate and house of representatives with jurisdiction over transportation policy by December 15, 2002.

#### Sec. 10. EFFECTIVE DATE.

Sections 1 to 9 are effective the day following final enactment.

Presented to the governor May 14, 2002

Signed by the governor May 17, 2002, 10:36 a.m.

### CHAPTER 372—S.F.No. 2392

*An act relating to public safety; modifying emergency 911 telephone system provisions to establish emergency 911 telecommunications system; amending Minnesota Statutes 2000, sections 403.01; 403.02, subdivisions 3, 6, 7, by adding subdivisions; 403.05; 403.06; 403.07;*

New language is indicated by underline, deletions by ~~strikeout~~.

*403.08; 403.09; 403.10, subdivision 1; 403.11, subdivisions 3, 4, by adding subdivisions; 403.113, subdivision 1; Minnesota Statutes 2001 Supplement, section 403.11, subdivision 1; repealing Minnesota Statutes 2000, sections 403.04; 403.11, subdivision 2; 403.113, subdivision 5; 403.12, subdivision 1; 403.13; 403.14; Minnesota Rules, parts 1215.0400; 1215.0600; 1215.0700; 1215.1200, subpart 3; 1215.1500.*

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

Section 1. Minnesota Statutes 2000, section 403.01, is amended to read:

**403.01 911 EMERGENCY TELEPHONE TELECOMMUNICATIONS SYSTEM REQUIRED.**

Subdivision 1. **GENERAL REQUIREMENT.** Each county in the metropolitan area shall establish operate and maintain a 911 emergency telephone telecommunications system on or before December 15, 1982 and each remaining county shall establish a 911 emergency telephone system on or before December 15, 1986.

Subd. 1a. **EMERGENCY TELEPHONE NUMBER 911.** The digits 911, so designated by the Federal Communications Commission, must be the primary emergency telephone number within the system. 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. **MULTIJURISDICTIONAL SYSTEM.** The 911 systems may be multijurisdictional and regional in character provided that design and implementation are preceded by cooperative planning on a county-by-county basis with local public safety agencies.

Subd. 3. **WIRELINE REQUIREMENTS.** Every owner and operator of a wireline telecommunications system shall design and maintain the system to dial the 911 number without charge to the caller.

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

Subd. 5. **PAY PHONE REQUIREMENTS.** Every pay phone owner and operator shall permit dialing of the 911 number without coin and without charge to the caller.

Subd. 6. **MULTISTATION OR PBX SYSTEM.** Every owner and operator of a multistation or private branch exchange (PBX) telecommunications system shall design and maintain the system to dial the 911 number without charge to the caller.

Subd. 7. **CONTRACTUAL REQUIREMENT.** (a) The state, together with the county or other governmental agencies operating public safety answering points, shall contract with the appropriate wireline telecommunications service providers for the operation, maintenance, enhancement, and expansion of the 911 system.

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

New language is indicated by underline, deletions by ~~strikeout~~.

(c) The contract language or subsequent amendments to the contract must include a description of the services to be furnished by wireless and wireline telecommunications service providers to the county or other governmental agencies operating public safety answering points, as well as compensation based on the effective tariff or price list approved by the public utilities commission. The contract language or subsequent amendments must include the terms of compensation based on the effective tariff or price list filed with the public utilities commission or the prices agreed to by the parties.

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

Sec. 2. Minnesota Statutes 2000, section 403.02, subdivision 3, is amended to read:

Subd. 3. **PUBLIC GOVERNMENTAL AGENCY.** "Public Governmental agency" means any unit of local government or special purpose district located in whole or in part within this state ~~which~~ that provides or has authority to provide fire fighting, police, ambulance, medical, or other emergency services.

Sec. 3. Minnesota Statutes 2000, section 403.02, subdivision 6, is amended to read:

Subd. 6. **MINIMUM 911 SERVICE STANDARDS.** "~~Minimum~~ 911 service" means a ~~telephone~~ telecommunications service ~~meeting the design standards established pursuant to section 403.07, which~~ that automatically connects a person dialing the digits 911 to an established public safety answering point. Minimum 911 service includes (1) equipment for connecting and outswitching 911 calls within a telephone central office, trunking facilities from the central office to a public safety answering point; (2) equipment, as appropriate, for automatically selectively routing 911 calls in situations where one telephone central office serves more than one public safety answering point; and (3) provision of automatic location identification if the public safety answering point has the capability of providing that service.

Sec. 4. Minnesota Statutes 2000, section 403.02, subdivision 7, is amended to read:

Subd. 7. **AUTOMATIC LOCATION IDENTIFICATION.** "Automatic location identification" means the process of electronically identifying and displaying on a special viewing screen the name of the subscriber and the address location, where available, of the calling telephone number to a person answering a 911 emergency call.

Sec. 5. Minnesota Statutes 2000, section 403.02, is amended by adding a subdivision to read:

Subd. 11. **WIRELINE TELECOMMUNICATIONS SERVICE PROVIDER.** "Wireline telecommunications service provider" means a person, firm, association, corporation, or other legal entity, however organized, or combination of them, authorized by state or federal regulatory agencies to furnish telecommunications service, including local service, over wireline facilities.

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Sec. 6. Minnesota Statutes 2000, section 403.02, is amended by adding a subdivision to read:

**Subd. 12. WIRELESS TELECOMMUNICATIONS SERVICE PROVIDER.** "Wireless telecommunications service provider" means a provider of commercial mobile radio services, as that term is defined in United States Code, title 47, section 332, subsection (d), including all broadband personal communications services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent wide area specialized mobile radio licensees, that offers real time, two-way voice service interconnected with the public switched telephone network and that is doing business in the state of Minnesota.

Sec. 7. Minnesota Statutes 2000, section 403.05, is amended to read:

**403.05 DESIGN OPERATION AND MAINTENANCE OF 911 SYSTEM, GENERALLY SYSTEMS.**

**Subdivision 1. OPERATE AND MAINTAIN.** Each county or any other governmental agency shall design operate and maintain its 911 system to meet the requirements of governmental agencies whose services are available through the 911 system and to permit future expansion or enhancement of the system. Each county or any other governmental agency shall ensure that a 911 emergency call made with a wireless access device is automatically connected to and answered by the appropriate public safety answering point.

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

**Subd. 3. AGREEMENTS FOR SERVICE.** Each county and any other governmental agency shall contract with the state and wireline telecommunications service providers for the recurring and nonrecurring costs associated with operating and maintaining 911 emergency communications systems.

Sec. 8. Minnesota Statutes 2000, section 403.06, is amended to read:

**403.06 911 SYSTEM PLANNING AND COORDINATION DEPARTMENT DUTIES.**

**Subdivision 1. DUTIES.** The department of administration shall coordinate the implementation maintenance of 911 systems on or before the deadlines established in section 403.01. The department shall aid counties in the formulation of concepts, methods and procedures which will improve the operation and maintenance of 911 systems. The department shall establish procedures for determining and evaluating requests for variations from the established design standards. The department shall respond to requests by wireless or wireline telecommunications service providers or by counties or other governmental agencies for system agreements, contracts, and tariff language promptly and no later than within 45 days of the request unless otherwise mutually agreed to by the parties. The department shall prepare a biennial budget for maintaining the 911 system. The department shall prepare an annual report to the

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legislature detailing the expenditures for maintaining the 911 system, the 911 fees collected, the balance of the 911 fund, and the 911-related administrative expenses of the department. The department is authorized to expend funds that have been appropriated to pay for the maintenance, enhancements, and expansion of the 911 system.

Subd. 2. **WAIVER.** Any county, other governmental agency, wireless telecommunications service provider, or wireline telecommunications service provider may petition the department of administration for a waiver of all or portions of the requirements. A waiver may be granted upon a demonstration by the petitioner that the requirement is economically infeasible.

Sec. 9. Minnesota Statutes 2000, section 403.07, is amended to read:

**403.07 STANDARDS ESTABLISHED; DATA PRIVACY.**

Subdivision 1. **RULES.** The department of administration shall establish and adopt in accordance with chapter 14, rules for the administration of this chapter and for the development of 911 systems in the state including:

(a) design standards for 911 systems incorporating the standards adopted pursuant to subdivision 2 for the seven-county metropolitan area; and

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

Subd. 2. **DESIGN STANDARDS.** The metropolitan council 911 board shall establish and adopt design standards for the metropolitan area 911 system and transmit them to the department of administration for incorporation into the rules adopted pursuant to this section.

Subd. 3. **DATABASE.** In 911 systems that have been approved by the department of administration for a local location identification base database, each public utility providing telephone wireline telecommunications service provider shall provide current customer names, service addresses, and telephone numbers to each public safety answering point within the 911 system and shall update the information according to a schedule prescribed by the county 911 plan. Information provided under this subdivision must be provided in accordance with the transactional record disclosure requirements of the federal Electronic Communications Privacy Act of 1986, United States Code, title 18, section 2703, subsection (c), paragraph (1), clause (B)(iv).

Subd. 4. **USE OF FURNISHED INFORMATION.** Names, addresses, and telephone numbers provided to a 911 system under subdivision 3 are private data and may be used only for identifying the location or identity, or both, of a person calling a 911 public safety answering point. The information furnished under subdivision 3 may not be used or disclosed by 911 system agencies, their agents, or their employees for any other purpose except under a court order.

Subd. 5. **LIABILITY.** A wireline telecommunications service provider, its employees, or its agents are not liable to any person who uses enhanced 911

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telecommunications service for release of subscriber information required under this chapter to any public safety answering point. A telephone company or wireline telecommunications service provider is not liable to any person for the good faith release to emergency communications personnel of information not in the public record, including, but not limited to, nonpublished or nonlisted telephone numbers. A wireline telecommunications service provider, its employees, or its agents are not liable to any person for civil damages resulting from or caused by any act or omission in the development, design, installation, operation, maintenance, performance, or provision of enhanced 911 telecommunications service, except for willful or wanton misconduct.

Sec. 10. Minnesota Statutes 2000, section 403.08, is amended to read:

**403.08 911 SYSTEM PLANS SUBMITTED; CHANGE; WAIVER WIRELESS TELECOMMUNICATIONS SERVICE PROVIDER.**

Subdivision 1. **TENTATIVE PLAN.** (a) ~~Before December 15, 1978, each county shall submit tentative plans for the establishment of a 911 system to the public utility or utilities providing public telephone service within the county, to the department of administration and to the public utilities commission.~~

(b) ~~The department of administration shall review the plan for consistency with the standards adopted pursuant to section 403.07 and report its findings to the county within six months of receipt of the plan.~~

(c) ~~The public utilities commission shall review the plan and comment to the county within six months of the receipt of the plan.~~

(d) ~~Each public utility providing telephone service within the county shall review the plan and transmit to the county good faith estimates of local system implementation expenses within six months of the receipt of the plan.~~

Subd. 2. **FINAL PLAN.** (a) ~~Before December 15, 1979, each county shall submit final plans for the establishment of a 911 system to the public utility or utilities providing public telephone service within the county, to the department of administration and to the public utilities commission. The final plan shall include a description of all capital and recurring costs for the proposed 911 system.~~

(b) ~~The department of administration shall review the final plan for consistency with the standards adopted pursuant to section 403.07 and approve or disapprove the plan within six months of receipt.~~

(c) ~~The public utilities commission shall review the final plan and determine that portion of plan implementation capital costs which may be applied to the utility company rate base and report findings to the county within six months of receipt of the plan.~~

Subd. 3. **IMPLEMENTATION CONTRACT.** ~~After department of administration approval of design and public utilities commission report of findings, each county, together with the department of administration and the local governmental units or public agencies operating public safety answering points, shall contract with the~~

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appropriate public utility or utilities for the implementation of the approved 911 system plan.

Subd. 4. **EXCEPTION.** Each county implementing a 911 system before December 15, 1978, shall submit to the department of administration and the public utilities commission in lieu of the required plan a report describing the system and stating its operational date.

Subd. 5. **SYSTEM CHANGE AFTER DECEMBER 14, 1978.** Any subsequent changes to 911 systems described in subdivision 4 shall conform to standards established by the department of administration pursuant to section 403.07.

Subd. 6. **WAIVER.** After adoption of final 911 system plans, any county or utility may petition the department of administration for a waiver of all or portions of the requirements or time limits of sections 403.01 to 403.08. Waivers shall be granted upon a demonstration by petitioner that the requirement is economically infeasible in the sense that federal or state funding for the initial capital investment required of the county to implement a 911 system is not available.

Subd. 7. **CELLULAR OR OTHER NONWIRE PROVIDER DUTIES.** (a) Each cellular and other wireless access telecommunications service provider shall cooperate in planning and implementing integration with enhanced 911 systems operating in their service territories to meet Federal Communications Commission-enhanced 911 standards. By August 1, 1997, each 911 emergency telephone telecommunications service provider operating enhanced 911 systems, in cooperation with each involved cellular or other wireless access telecommunications service provider, shall develop and provide to the commissioner good-faith estimates of installation and recurring expenses to integrate cellular wireless 911 service into the enhanced 911 networks to meet Federal Communications Commission phase one wireless enhanced 911 standards. The commissioner shall coordinate with counties and affected public safety agency representatives in developing a statewide design and plan for implementation.

(b) Subd. 8. **SCHEDULE.** Planning shall be completed by October 1, 1997, for the metropolitan area and shall be completed by December 1, 1997, for the areas outside of the metropolitan area.

(c) Subd. 9. **SCOPE.** Planning considerations must include cost, degree of integration into existing 911 systems, the retention of existing 911 infrastructure, and the potential implications of phase 2 of the Federal Communications Commission wireless enhanced 911 standards.

(d) Subd. 10. **PLAN INTEGRATION.** Counties shall incorporate the statewide design when modifying county 911 plans to provide for integrating wireless 911 service into existing county 911 systems. The commissioner shall contract with the involved wireless service providers and 911 service providers to integrate cellular and other wireless services into existing 911 systems where feasible.

Subd. 11. **LIABILITY.** No wireless enhanced 911 emergency telecommunications service provider, its employees, or its agents are liable to any person for civil

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damages resulting from or caused by any act or omission in the development, design, installation, operation, maintenance, performance, or provision of enhanced 911 wireless service, except for willful or wanton misconduct. No wireless carrier, its employees, or its agents are liable to any person who uses enhanced 911 wireless service for release of subscriber information required under this chapter to any public safety answering point.

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

Sec. 11. Minnesota Statutes 2000, section 403.09, is amended to read:

**403.09 ENFORCEMENT.**

Subdivision 1. DEPARTMENT AUTHORITY. At the request of the department of administration, 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. PUBLIC UTILITIES 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 public utility providing telephone wireline telecommunications service which provider that refuses to comply with this chapter.

Subd. 3. DISPUTE RESOLUTION. Disputes between parties must be resolved pursuant to section 403.01, subdivision 7, paragraph (d).

Sec. 12. Minnesota Statutes 2000, section 403.10, subdivision 1, is amended to read:

Subdivision 1. AUTHORITY. In counties implementing 911 systems pursuant to sections 403.01 to 403.08, All public agencies and counties which that are part of different 911 systems but share common boundary lines may enter into cooperative agreements which shall 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.

Sec. 13. Minnesota Statutes 2001 Supplement, section 403.11, subdivision 1, is amended to read:

Subdivision 1. EMERGENCY TELEPHONE SERVICE FEE. (a) Each customer of a telephone company or communications carrier that provides wireless or wireline telecommunications service provider that furnishes service capable of originating a 911 emergency telephone call is assessed a fee to cover the costs of ongoing maintenance and related improvements for trunking and central office switching equipment for minimum 911 emergency telephone telecommunications service, plus administrative and staffing costs of the department of administration

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related to managing the 911 emergency telephone telecommunications service program. Recurring charges by a public utility providing telephone service wireline telecommunications service provider for updating the information required by section 403.07, subdivision 3, must be paid by the commissioner of administration if the utility wireline telecommunications service provider is included in an approved 911 plan and the charges have been certified and approved under subdivision 3 are made pursuant to tariff, price list, or contract. The commissioner of administration shall transfer an amount equal to two cents a month from the fee assessed under this section on cellular and other nonwire access wireless telecommunications services to the commissioner of public safety for the purpose of offsetting 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 cellular wireless phones.

(b) Money remaining in the 911 emergency telephone telecommunications service account after all other obligations are paid must not cancel and is carried forward to subsequent years and may be appropriated from time to time to the commissioner of administration to provide financial assistance to counties for the improvement of local emergency telephone telecommunications services. The improvements may include providing access to minimum 911 service for telephone telecommunications service subscribers currently without access and upgrading existing 911 service to include automatic number identification, local location identification, automatic location identification, and other improvements specified in revised county 911 plans approved by the department.

(b) (c) The fee is 27 cents a month 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 cellular and other nonwire access wireless telecommunications services. The fee must be the same for all customers.

(e) (d) The fee must be collected by each company or carrier providing service wireless or wireline telecommunications service provider subject to the fee. Fees are payable to and must be submitted to the commissioner of administration 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 telephone telecommunications service account in the special revenue fund. The money in the account may only be used for 911 telephone telecommunications services as provided in paragraph (a).

(e) (e) This subdivision does not apply to customers of a telecommunications carrier as defined in section 237.01, subdivision 6 interexchange carriers.

(f) The installation and recurring charges for integrating wireless 911 calls into enhanced 911 systems must be paid by the commissioner if the 911 service provider is included in the statewide design plan and the charges are made pursuant to tariff, price list, or contract.

Sec. 14. Minnesota Statutes 2000, section 403.11, subdivision 3, is amended to read:

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Subd. 3. **METHOD OF PAYMENT; CERTIFICATION.** A public utility (a) Any wireless or wireline telecommunications service provider incurring reimbursable costs under subdivision 1 or 2 shall certify these costs submit an invoice itemizing rate elements by county or service area to the commissioner of administration. The certification shall be in a form as prescribed by the commissioner after consultation with the public utilities commission. If the commissioner and the commission approve the certified costs as appropriate and accurate, for 911 services furnished under tariff, price list, or contract. Any wireless or wireline telecommunications service provider is eligible to receive payment for 911 services rendered according to the terms and conditions specified in the contract. Competitive local exchange carriers holding certificates of authority from the public utilities commission are eligible to receive payment for recurring 911 services provided after July 1, 2001. The commissioner shall pay the certified costs from money appropriated for that purpose invoice within 90 30 days following receipt by the commissioner of the certified costs of the invoice unless the commissioner notifies the service provider that the commissioner disputes the invoice.

(b) The commissioner of administration shall estimate the amount required to reimburse public utilities wireless and wireline telecommunications service providers for the state's obligations under subdivisions subdivision 1 and 2 and the governor shall include the estimated amount in the biennial budget request.

Sec. 15. Minnesota Statutes 2000, section 403.11, is amended by adding a subdivision to read:

Subd. 3a. **TIMELY CERTIFICATION.** A certification must be submitted to the commissioner of administration no later than two years after commencing a new or additional eligible 911 service. Any wireless or wireline telecommunications service provider incurring reimbursable costs under this section at any time before the effective date of section 14 may certify those costs for payment to the commissioner of administration according to this section for a period of 90 days after the effective date of section 14. During this period, the commissioner of administration shall reimburse any wireless or wireline telecommunications service provider for approved, certified costs without regard to any contrary provision of this subdivision.

Sec. 16. Minnesota Statutes 2000, section 403.11, is amended by adding a subdivision to read:

Subd. 3b. **CERTIFICATION.** All wireless and wireline telecommunications service providers shall submit a self-certification form signed by an officer of the company to the department with invoices for payment of an initial or changed service described in the service provider's 911 contract. The self-certification shall affirm that the 911 service contracted for is being provided and the costs invoiced for the service are true and correct. All certifications are subject to verification and audit.

Sec. 17. Minnesota Statutes 2000, section 403.11, is amended by adding a subdivision to read:

Subd. 3c. **AUDIT.** If the commissioner of administration determines that an audit is necessary to document the certification described in subdivision 3b, the wireless or

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wireline telecommunications service provider must contract with an independent certified public accountant to conduct the audit. The audit must be conducted according to generally accepted accounting principles. The wireless or wireline telecommunications service provider is responsible for any costs associated with the audit.

Sec. 18. Minnesota Statutes 2000, section 403.11, subdivision 4, is amended to read:

Subd. 4. **LOCAL RECURRING COSTS.** Recurring costs of telephone communications telecommunications equipment and services at public safety answering points shall be borne by the local governmental unit agency operating the public safety answering point or allocated pursuant to section 403.10, subdivision 3. Costs attributable to local government electives for services beyond minimum 911 service not otherwise addressed under section 403.11 or 403.113 shall must be borne by the governmental unit agency requesting the elective service.

Sec. 19. Minnesota Statutes 2000, section 403.11, is amended by adding a subdivision to read:

Subd. 5. **TARIFF NOTIFICATION.** Wireline telecommunications service providers or wireless telecommunications service providers holding eligible telecommunications carrier status shall give notice to the department of administration and any other affected governmental agency of tariff or price list changes related to 911 service at the same time that the filing is made with the public utilities commission.

Sec. 20. Minnesota Statutes 2000, section 403.113, subdivision 1, is amended to read:

Subdivision 1. **FEE.** (a) In addition to the actual fee assessed under section 403.11, Each customer receiving local telephone service, including cellular or other nonwire service, from a wireless or wireline telecommunications service provider is assessed a fee to fund implementation and, operation, maintenance, enhancement, and expansion of enhanced 911 service, including acquisition of necessary equipment and the costs of the commissioner to administer the program. The enhanced fee collected from cellular or other nonwire service customers must be collected effective in July 1997 billings. The actual fee assessed under section 403.11 and the enhanced 911 service fee must be collected as one amount and may not exceed the amount specified in section 403.11, subdivision 1, paragraph (b).

(b) The enhanced 911 service fee must be collected and deposited in the same manner as the fee in section 403.11 and used solely for the purposes of paragraph (a) and subdivision 3.

(c) The commissioner of the department of administration, in consultation with counties and 911 system users, shall determine the amount of the enhanced 911 service fee and inform telephone companies or communications carriers wireless and wireline telecommunications service providers that provide service capable of originating a 911 emergency telephone call of the total amount of the 911 service fees in the same manner as provided in section 403.11.

New language is indicated by underline, deletions by strikeout.

**Sec. 21. REPEALER.**

(a) Minnesota Statutes 2000, sections 403.04; 403.113, subdivision 5; 403.12, subdivision 1; 403.13; and 403.14, are repealed. Section 403.11, subdivision 2, is repealed effective January 1, 2003.

(b) Minnesota Rules, parts 1215.0400; 1215.0600; 1215.0700; 1215.1200, subpart 3; and 1215.1500, are repealed.

**Sec. 22. EFFECTIVE DATES.**

Sections 1 to 13 and 15 to 21 are effective the day following final enactment. Section 14 is effective January 1, 2003.

Presented to the governor May 14, 2002

Signed by the governor May 17, 2002, 10:35 a.m.

**CHAPTER 373—H.F.No. 3183**

*An act relating to agriculture; establishing a livestock development program; clarifying certain requirements for agricultural contracts; changing certain powers relating to grain; modifying certain pesticide provisions; providing for interstate cooperation for seed potato certification; providing for uniformity of certain Minnesota food rules with federal standards; establishing and changing certain loan programs; clarifying terms; authorizing a land use pilot project; providing a temporary waiver of a rule; changing cervidae regulations; changing certain agricultural chemical response provisions; changing certain manure and waste management provisions; authorizing certain land exchanges; requiring a report; requiring amendment of certain rules; appropriating money; amending Minnesota Statutes 2000, sections 17.101, by adding a subdivision; 17.452, subdivision 6, by adding a subdivision; 17.90, subdivision 1a, by adding a subdivision; 17B.03, subdivision 1; 18E.02, by adding subdivisions; 18E.03, subdivision 4; 18E.04, subdivision 3; 18E.06; 21.111, by adding a subdivision; 31.101, as amended; 31.102, subdivision 1; 31.103, subdivision 1; 31.104; 38.331, subdivision 2; 41B.03, subdivisions 1, 3; 97A.105, by adding subdivisions; 223.16, subdivision 5; Minnesota Statutes 2001 Supplement, sections 17.9442; 18B.36, subdivision 1; 18E.04, subdivisions 2, 4; 41B.046, subdivision 2; Laws 2001, chapter 206, section 14; proposing coding for new law in Minnesota Statutes, chapters 18D; 35; 41B; 116.*

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

Section 1. Minnesota Statutes 2000, section 17.101, is amended by adding a subdivision to read:

Subd. 6. LIVESTOCK DEVELOPMENT. The commissioner shall establish a process, including criteria and standards, to recognize and assist efforts by counties to maintain or expand their livestock sector.

A county that meets the criteria may apply to the commissioner to be designated a "livestock friendly" county.

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