

HOUSE RESEARCH

Bill Summary

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Subject: Placement of Wireless Equipment on State Towers

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Section

- 1 **Wireless equipment on state-owned property.** Permits the commissioner of administration to allow commercial wireless service providers and other tower owners to install privately-owned equipment on towers located on state property, when practical and feasible. Requires the commissioner to charge a site-use fee or to make agreements with wireless providers to place state equipment on private towers. Allows the commissioner to accept improvements to state-owned communications facilities or property, or accept wireless services.
Provides that when the commissioner determines that space on state towers is available, and annually thereafter, the commissioner must publish a list of state tower sites available to wireless providers and other tower owners for installation of their equipment. Requires the commissioner to select a provider based on competitive bids or proposals. Requires the commissioner, in cases of agreements in lieu of site-use fees, to select the proposal based on the best interests of the state.
Makes a standing appropriation of site-use fees to the commissioner of administration for technology investments.
Provides that the section does not apply to trunk highways, department of transportation land and buildings, or property administered by the department of natural resources.
Directs the commissioners of administration and natural resources to make agreements to designate a portion of lease fees for wireless equipment on state property for technology investments. Requires at least 20 percent of the lease fees to be transferred and annually appropriated to the commissioner of administration for technology investments.
- 2 **Application.** Provides that sections 2 to 5 apply to state trunk highway right-of-way and department of transportation land, buildings, and structures.
- 3 **Implementation.** Amends the law that requires MnDOT to obtain sites for erection of towers and location of equipment to construct buildings and structures needed for the initial backbone of the state public safety radio communications system:

Makes the law permissive rather than mandatory
Provides that actions may be for maintenance as well as construction of the system
Specifies that actions may be taken to reduce proliferation of towers
Allows negotiations with tower owners other than commercial wireless service providers
Requires the department to publish an annual list of state towers with space available for private equipment

This section is effective immediately.

- 4 **Deposit of fees.** Provides that fees collected from agreements made by MnDOT for tower space must be deposited into a department of transportation electronic communication account in the special revenue fund, rather than in the trunk highway fund.

Changes the standing appropriation of these fees to MnDOT as follows:

Removes the provision that the standing appropriation is to pay for MnDOT's and the state patrol's share of the costs of constructing the system, and instead provides that the fees are for the cost of developing and maintaining the systems.

Specifies that instead of being for communication system sites, the appropriation is for communications systems that serve state agencies.

Requires that 20 percent of the fees each year be transferred to the department of administration for technology investments.

- 5 **Technical.** Makes a technical change in the 1999 transportation appropriations bill. This section is effective immediately.