

1.1 moves to amend H.F. No. 3554 as follows:

1.2 Page 1, line 8, after "provider," insert "communications facilities provider,"

1.3 Page 1, line 23, after "telephone," insert "wireless communications system,"

1.4 Page 2, after line 4, insert:

1.5 "Subdivision 1. **Legislative findings and purpose.** The legislature finds and declares
1.6 that small wireless facilities and small wireless facility networks are critical to the adequate
1.7 provision of advanced technology, broadband, and 911 services to schools, homes,
1.8 businesses, and state and local units of government in Minnesota. Because adequate access
1.9 to wireless technology plays an integral role in the economic vitality of Minnesota and the
1.10 health, safety, and welfare of its citizens, the coordinated and orderly deployment of small
1.11 wireless facility technology in metropolitan and greater Minnesota is a matter of statewide
1.12 concern. Therefore, it is the purpose of this section and policy of the state to assist wireless
1.13 providers and local authorities in developing infrastructure to meet the wireless access
1.14 needs of all Minnesotans by (1) establishing uniform procedural and cost standards that
1.15 prevail over the patchwork of local regulations that otherwise inhibits such deployment,
1.16 and (2) specifying how local authorities may regulate the collocation of small wireless
1.17 facilities and small wireless facility networks in a manner consistent with this section."

1.18 Renumber the subdivisions in sequence

1.19 Page 2, delete lines 9 and 10 and insert:

1.20 "(c) "Applicant" means a wireless service provider or communications facilities
1.21 provider that submits an application to collocate small wireless facilities under subdivision
1.22 3, or to construct, maintain, or operate facilities under subdivision 4."

1.23 Page 2, line 12, delete "subdivision 2" and insert "subdivision 3, or to construct,
1.24 maintain, or operate facilities under subdivision 4"

1.25 Page 2, delete lines 13 to 18 and insert:

1.26 "(e) "Authority" means a statutory or home rule charter city, village, incorporated
1.27 town, township, county, or other local unit of government, or any governmental unit that

2.1 has entered into an agreement to jointly or cooperatively exercise powers under section
 2.2 462.3585 or 471.59, or any similar statute."

2.3 Page 2, delete lines 25 to 30 and insert:

2.4 "(h) "Cable operator" has the same meaning given in United States Code, title 47,
 2.5 section 153(5).

2.6 (i) "Collocate" means to install, mount, maintain, modify, operate, or replace
 2.7 wireless facilities on (1) an existing private or public tower, building, water tower, private
 2.8 or authority utility pole, or other structure; or (2) a replacement private or authority utility
 2.9 pole of a similar height, location, and appearance as an existing structure. "Collocation"
 2.10 has a corresponding meaning.

2.11 (j) "Communications service" means cable service, as defined in United States
 2.12 Code, title 47, section 522(6); information service, as defined in United States Code, title
 2.13 47, section 153(24); telecommunications service as defined in United States Code, title
 2.14 47, section 153(53); a mobile service as defined in United States Code, title 47, section
 2.15 153(33); or a wireless service other than a mobile service.

2.16 (k) "Communications facilities provider" means a person or entity that installs or
 2.17 constructs facilities or structures used to provide communications services.

2.18 (l) "Communications service provider" means a cable operator, a provider of
 2.19 information service, a wireless provider, or a telecommunications carrier, as defined in
 2.20 United States Code, title 47, section 153(51)."

2.21 Reletter the paragraphs in sequence

2.22 Page 3, delete lines 4 to 7 and insert "structure is cumulatively no more than 28 cubic
 2.23 feet in volume. For the purposes of this paragraph, the following types"

2.24 Page 3, line 30, delete "and install"

2.25 Page 4, lines 6, 33, and 34, delete "or install"

2.26 Page 5, after line 26, insert:

2.27 "(g) An authority does not have and is prohibited from exercising zoning or siting
 2.28 jurisdiction, authority, or control over the construction, installation, or operation of any
 2.29 small wireless facility located in an interior structure or upon the site of any campus
 2.30 stadium or athletic facility."

2.31 Page 5, delete lines 28 and 29 and insert "communications service provider, its
 2.32 contractor, or a communications facilities provider has the"

2.33 Page 5, line 32, after "right-of-way" insert "by following the application process
 2.34 under subdivision 3"

- 3.1 Page 5, delete line 34 and insert "costs, other than those recovered under subdivision
3.2 3, paragraph (d), clause (1), or under section 237.163, subdivision 6, but fees charged must
3.3 not be based on the applicant's revenues, number of access lines, or number of customers."