

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 469: Wireless emergency telephone service; extend repealer.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

AMEND by inserting the following new SECTION 12 after line 542 and by renumbering all succeeding sections accordingly:

SECTION 12. (1) In addition to any other monetary penalties and other penalties imposed by law, any county or municipality which participates in an intergovernmental wireless radio communications program approved by the applicable governing authorities may assess an additional surcharge in an amount not to exceed Ten Dollars (\$10.00) on each person upon whom a court imposes a fine or other penalty for each violation of Title 63, Mississippi Code of 1972, except offenses relating to vehicular parking or registration. The proceeds from the surcharge may be used by a county or municipality only to fund that county's or municipality's participation in the intergovernmental wireless radio communications program by funding public safety wireless communications systems and related computer and communications equipment. The proceeds from the surcharge imposed by this subsection shall be deposited into a special fund in the Department of Public Safety's Office of Public Safety Planning and shall be utilized for the purpose of funding wireless radio communications and related computer equipment. The Office of

Public Safety Planning shall promulgate rules and procedures relating to the administration of the special fund and the disbursement of monies in the fund to participating governmental entities. The maximum amount that a governmental entity may receive from the special fund shall be an amount equal to the deposits made into the fund by that entity, less one percent (1%) to be retained by the Office of Public Safety Planning to defray the costs of administering the special fund. Interest earned on the special fund shall remain in the fund and shall be used by the Office of Public Safety Planning to further defray the costs of administering the special fund.

(2) Deposits into the special fund resulting from citations issued by the Mississippi Highway Safety Patrol shall be utilized for the purpose of funding wireless communications and related computer equipment, subject to the approval of the Mississippi Department of Information Technology Services.

(3) Approval of an intergovernmental wireless radio communications program must be given by the applicable governing authorities when:

(a) The program includes the sharing of support facilities, including, but not limited to, towers, shelters and microwave, by participating entities; or

(b) The program includes the establishment of a mutual aid system using common radio frequency channels between participating entities; or

(c) The program sets forth a feasible methodology that utilizes the radio frequency spectrum in an efficient manner.

(4) Participating counties, municipalities and the Mississippi Highway Safety Patrol must provide notification of facilities available for interoperability to the Mississippi Department of Information Technology Services annually.

(5) Counties and municipalities participating in an intergovernmental wireless radio communications program and the Mississippi Highway Safety Patrol must comply with competitive bidding requirements prescribed in Section 31-7-13 and are encouraged to utilize an open architecture, nonproprietary system.

**AMEND FURTHER the TITLE by inserting the following after the semicolon on line 11:**

TO AUTHORIZE THE MISSISSIPPI HIGHWAY SAFETY PATROL AND COUNTIES AND MUNICIPALITIES WHICH PARTICIPATE IN AN APPROVED INTERGOVERNMENTAL WIRELESS RADIO COMMUNICATIONS PROGRAM TO ASSESS AN ADDITIONAL SURCHARGE UPON PERSONS FINED FOR MOVING TRAFFIC VIOLATIONS FOR THE PURPOSE OF FUNDING PARTICIPATION IN SUCH PROGRAM;

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X\_\_\_\_\_

Tyrone Ellis

X\_\_\_\_\_

Thomas E. Robertson

X\_\_\_\_\_

David W. Myers

X\_\_\_\_\_

Lynn Posey

X\_\_\_\_\_

Clint Rotenberry

X\_\_\_\_\_

Billy Thames