

By: Representative Brown

To: Appropriations

HOUSE BILL NO. 1355

1 AN ACT TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO  
3 ESTABLISH AN ADMINISTRATIVE SERVICES BUREAU AND PROVIDE A TOOL FOR  
4 ALLOCATING STATE RESOURCES; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 27-104-103, Mississippi Code of 1972, is  
7 amended as follows:

8 27-104-103. (1) The Department of Finance and  
9 Administration shall have the following duties and powers:

10 (a) To provide administrative guidance to the various  
11 departments and agencies of state government;

12 (b) To facilitate the expedient delivery of services  
13 and programs for the benefit of the citizens of the state;

14 (c) To analyze and develop efficient management  
15 practices and assist departments and agencies in implementing  
16 effective and efficient work management systems;

17 (d) To conduct management review of state agencies and  
18 departments and recommend a management plan to state departments  
19 and agencies when corrective action is required;

20 (e) To, at least annually, report to the Governor and  
21 the Legislature on programs and actions taken to improve the  
22 conduct of state operations and to prepare and recommend  
23 management programs for effective and efficient management of the  
24 operations of state government;

25 (f) To allocate the federal-state programs funds to the  
26 departments responsible for the delivery of the programs and  
27 services for which the appropriation was made;

28           (g) To coordinate the planning functions of all  
29 agencies in the executive branch of government and review any and  
30 all plans which are developed by those agencies and departments;

31           (h) To collect and maintain the necessary data on which  
32 to base budget and policy development issues;

33           (i) To develop and analyze policy recommendations to  
34 the Governor;

35           (j) To develop and manage the executive budget process;

36           (k) To prepare the executive branch budget  
37 recommendations;

38           (l) To review and monitor the expenditures of the  
39 executive agencies and departments of government;

40           (m) To manage the state's fiscal affairs;

41           (n) To administer programs relating to general  
42 services, public procurement, insurance and the Bond Advisory  
43 Division;

44           (o) To administer the state's aircraft operation.

45           (2) The department shall have the following additional  
46 powers and duties under Chapter 18 of Title 17:

47           (a) It shall acquire the site submitted by the  
48 Mississippi Hazardous Waste Facility Siting Authority and, if  
49 determined necessary, design, finance, construct and operate a  
50 state commercial hazardous waste management facility;

51           (b) It may acquire by deed, purchase, lease, contract,  
52 gift, devise or otherwise any real or personal property,  
53 structures, rights-of-way, franchises, easements and other  
54 interest in land which is necessary and convenient for the  
55 construction or operation of the state commercial hazardous waste  
56 management facility, upon such terms and conditions as it deems  
57 advisable, hold, mortgage, pledge or otherwise encumber the same,  
58 and lease, sell, convey or otherwise dispose of the same in such a  
59 manner as may be necessary or advisable to carry out the purposes  
60 of Chapter 18 of Title 17;

61 (c) It shall develop and implement, in consultation  
62 with the Department of Environmental Quality, schedules of user  
63 fees, franchise fees and other charges, including nonregulatory  
64 penalties and surcharges applicable to the state commercial  
65 hazardous waste management facility;

66 (d) It may employ consultants and contractors to  
67 provide services including site acquisition, design, construction,  
68 operation, closure, post-closure and perpetual care of the state  
69 commercial hazardous waste management facility;

70 (e) It may apply for and accept loans, grants and gifts  
71 from any federal or state agency or any political subdivision or  
72 any private or public organization;

73 (f) It shall make plans, surveys, studies and  
74 investigations as may be necessary or desirable with respect to  
75 the acquisition, development and use of real property and the  
76 design, construction, operation, closure and long-term care of the  
77 state commercial hazardous waste management facility;

78 (g) It shall have the authority to preempt any local  
79 ordinance or restriction which prohibits or has the effect of  
80 prohibiting the establishment or operation of the state commercial  
81 hazardous waste management facility;

82 (h) It may negotiate any agreement for site  
83 acquisition, design, construction, operation, closure,  
84 post-closure and perpetual care of the state commercial hazardous  
85 waste management facility and may negotiate any agreement with any  
86 local governmental unit pursuant to Chapter 18 of Title 17;

87 (i) It may promulgate rules and regulations necessary  
88 to effectuate the purposes of Chapter 18 of Title 17 not  
89 inconsistent therewith;

90 (j) If funds are not appropriated or if the  
91 appropriated funds are insufficient to carry out the provisions of  
92 Chapter 18 of Title 17, the department shall expend any funds

93 available to it from any source to defray its costs to implement  
94 Chapter 18 of Title 17 through February 1, 1991.

95 (k) It may develop, or coordinate the development with  
96 other agencies, a statewide strategic plan that will provide a  
97 tool for allocating state resources.

98 (l) It may establish an Administrative Services Bureau  
99 (ASB) to provide financial, personnel, budgeting and managerial  
100 services to other state agencies without sufficient resources to  
101 provide such services.

102 SECTION 2. This act shall take effect and be in force from  
103 and after July 1, 2001.