

By: Representative Brown

To: Appropriations

HOUSE BILL NO. 1424

1 AN ACT TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE FOR STATE AGENCIES TO ACCEPT CREDIT CARDS, CHARGE  
3 CARDS, DEBIT CARDS AND OTHER ELECTRONIC FUNDS TRANSFERS FOR  
4 PAYMENT OF GOVERNMENT FEES, COSTS AND DEBTS PURSUANT TO POLICIES  
5 ADOPTED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR  
6 RELATED PURPOSES.

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

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

10 27-104-103. (1) The Department of Finance and  
11 Administration shall have the following duties and powers:

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

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

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

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

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

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

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

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

35 (i) To develop and analyze policy recommendations to  
36 the Governor;

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

38 (k) To prepare the executive branch budget  
39 recommendations;

40 (l) To review and monitor the expenditures of the  
41 executive agencies and departments of government;

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

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

46 (o) To administer the state's aircraft operation;

47 (p) To establish policies that allow the payment of  
48 various fees and other accounts receivable to state agencies by  
49 credit cards, charge cards, debit cards and other forms of  
50 electronic payment in the discretion of the department. Fees or  
51 charges associated with the use of such electronic payments may be  
52 paid out of any funds available to the agency or the agency may  
53 assess an additional charge to process such an electronic payment.

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

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

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

70           (c) It shall develop and implement, in consultation  
71 with the Department of Environmental Quality, schedules of user  
72 fees, franchise fees and other charges, including nonregulatory  
73 penalties and surcharges applicable to the state commercial  
74 hazardous waste management facility;

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

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

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

87           (g) It shall have the authority to preempt any local  
88 ordinance or restriction which prohibits or has the effect of  
89 prohibiting the establishment or operation of the state commercial  
90 hazardous waste management facility;

91           (h) It may negotiate any agreement for site  
92 acquisition, design, construction, operation, closure,

93 post-closure and perpetual care of the state commercial hazardous  
94 waste management facility and may negotiate any agreement with any  
95 local governmental unit pursuant to Chapter 18 of Title 17;

96 (i) It may promulgate rules and regulations necessary  
97 to effectuate the purposes of Chapter 18 of Title 17 not  
98 inconsistent therewith.

99 (j) If funds are not appropriated or if the  
100 appropriated funds are insufficient to carry out the provisions of  
101 Chapter 18 of Title 17, the department shall expend any funds  
102 available to it from any source to defray its costs to implement  
103 Chapter 18 of Title 17 through February 1, 1991.

104 SECTION 2. This act shall take effect and be in force from  
105 and after its passage.