To: Appropriations

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2001
By: Representative Brown

HOUSE BILL NO. 1424
(As Passed the House)

AN ACT TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972,
TO PROVIDE FOR STATE AGENCIES TO ACCEPT CREDIT CARDS, CHARGE
CARDS, DEBIT CARDS AND OTHER ELECTRONIC FUNDS TRANSFERS FOR
PAYMENT OF GOVERNMENT FEES, COSTS AND DEBTS PURSUANT TO POLICIES
ADOPTED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO
AUTHORIZE SUPERVISORS AND COUNTY EMPLOYEES TO USE CREDIT CARDS FOR
OFFICIAL BUSINESS; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

(e) To, at least annually, report to the Governor and
the Legislature on programs and actions taken to improve the
conduct of state operations and to prepare and recommend
management programs for effective and efficient management of the
operations of state government;
(f) To allocate the federal-state programs funds to the
departments responsible for the delivery of the programs and
services for which the appropriation was made;

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

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

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

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

(k) To prepare the executive branch budget
recommendations;

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

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

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

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

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

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

(a) It shall acquire the site submitted by the
Mississippi Hazardous Waste Facility Siting Authority and, if
determined necessary, design, finance, construct and operate a
state commercial hazardous waste management facility;
(b) It may acquire by deed, purchase, lease, contract, gift, devise or otherwise any real or personal property, structures, rights-of-way, franchises, easements and other interest in land which is necessary and convenient for the construction or operation of the state commercial hazardous waste management facility, upon such terms and conditions as it deems advisable, hold, mortgage, pledge or otherwise encumber the same, and lease, sell, convey or otherwise dispose of the same in such a manner as may be necessary or advisable to carry out the purposes of Chapter 18 of Title 17;

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

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

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

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

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

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

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

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

SECTION 2. The board of supervisors of any county may acquire one or more credit cards which may be used by members of the board of supervisors and county employees to pay expenses incurred by them when traveling in or out of the state in the performance of their official duties. The chancery clerk or county purchase clerk shall maintain complete records of all credit card numbers and all receipts and other documents relating to the use of such credit cards. The supervisors and county employees shall furnish receipts for the use of such credit cards each month to the chancery clerk or purchase clerk who shall submit a written report monthly to the board of supervisors. The report shall include an itemized list of all expenditures and use of the credit cards for the month, and such expenditures may be allowed for payment by the county in the same manner as other items on the claims docket. The issuance of a credit card to a supervisor or county employee under the provisions of this section does not authorize the supervisor or county employee to use the credit card to make any expenditure that is not otherwise authorized by law. Any supervisor or county employee who uses the credit card to make an expenditure that is not approved for payment by the board shall be personally liable for the expenditure and shall reimburse the county.
SECTION 3. This act shall take effect and be in force from and after its passage.