

By: Representative Brown

To: Appropriations

HOUSE BILL NO. 1424
(As Passed the House)

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; TO
6 AUTHORIZE SUPERVISORS AND COUNTY EMPLOYEES TO USE CREDIT CARDS FOR
7 OFFICIAL BUSINESS; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105 SECTION 2. The board of supervisors of any county may
106 acquire one or more credit cards which may be used by members of
107 the board of supervisors and county employees to pay expenses
108 incurred by them when traveling in or out of the state in the
109 performance of their official duties. The chancery clerk or
110 county purchase clerk shall maintain complete records of all
111 credit card numbers and all receipts and other documents relating
112 to the use of such credit cards. The supervisors and county
113 employees shall furnish receipts for the use of such credit cards
114 each month to the chancery clerk or purchase clerk who shall
115 submit a written report monthly to the board of supervisors. The
116 report shall include an itemized list of all expenditures and use
117 of the credit cards for the month, and such expenditures may be
118 allowed for payment by the county in the same manner as other
119 items on the claims docket. The issuance of a credit card to a
120 supervisor or county employee under the provisions of this section
121 does not authorize the supervisor or county employee to use the
122 credit card to make any expenditure that is not otherwise
123 authorized by law. Any supervisor or county employee who uses the
124 credit card to make an expenditure that is not approved for
125 payment by the board shall be personally liable for the
126 expenditure and shall reimburse the county.

127 SECTION 3. This act shall take effect and be in force from
128 and after its passage.