

By: Senator(s) Little, Gordon, Robertson,
Burton, Hewes, Kirby, Flowers, Brown, Michel,
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To: Appropriations

SENATE BILL NO. 2634

1 AN ACT TO ESTABLISH AN OFFICE OF ADMINISTRATIVE SERVICES
2 WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ASSIST
3 SPECIAL FUND AGENCIES IN FINANCIAL AND BUDGETING MATTERS; TO
4 AUTHORIZE AN ASSESSMENT ON PARTICIPATING AGENCIES; TO ESTABLISH AN
5 OFFICE OF ADMINISTRATIVE SERVICES REVOLVING FUND; TO SPECIFY THOSE
6 AGENCIES WHICH ARE TO UTILIZE THE SERVICES OF THE OFFICE OF
7 ADMINISTRATIVE SERVICES; TO AMEND SECTION 27-104-103, MISSISSIPPI
8 CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** (1) There is hereby created the Office of
11 Administrative Services within, and under the supervision of, the
12 Department of Finance and Administration. The office shall have
13 as Chief Administrative Officer a director, hereinafter referred
14 to as "director," who shall be appointed by the Executive Director
15 of the Department of Finance and Administration.

16 (2) The director is hereby empowered and authorized to
17 employ or contract for employment of necessary staff to perform
18 the duties and responsibilities of the office.

19 (3) The duties of the Office of Administrative Services
20 shall be to provide, subject to the availability of funds,
21 services and resources to state agencies, boards, commissions and
22 other institutions as follows:

23 (a) Full purchasing, accounting, payroll and human
24 resource services, including the Statewide Automated Accounting
25 System (SAAS) and Statewide Payroll and Human Resource System
26 (SPAHRs) processing.

27 (b) Consulting on financial and management matters.

28 (c) Budget preparation.

29 (d) Appropriation and budget monitoring.

30 (e) Financial planning and analysis.

31 (f) Reporting to outside entities.

32 (g) Reporting to management.

33 (h) Office equipment.

34 (i) Suitable office space and facilities.

35 (4) The Office of Administrative Services may, subject to
36 funds being appropriated by the Legislature, operate from special
37 funds provided from assessments from state agencies, boards,
38 commissions and other institutions for which the office provides
39 services.

40 (5) There is hereby created in the State Treasury a
41 revolving fund to be known as the Office of Administrative
42 Services Fund. Any balance in said fund shall be available to the
43 Office of Administrative Services for the purchase of office
44 supplies, office services, printing, office equipment, office
45 facilities, administrative or management services and related
46 items. Payments into the fund shall be made by state agencies,
47 boards, commissions and other institutions, which have been
48 appropriated funds for the purpose of paying for services
49 performed by the Office of Administrative Services. That portion
50 of the monies in the fund used by the Office of Administrative
51 Services to administer the central office management for
52 self-supporting regulatory agencies is subject to appropriations
53 by the Legislature. The amount of payments by state agencies,
54 boards, commissions and other institutions shall not exceed the
55 amounts budgeted to the same for such designated purposes. Any
56 money in the fund shall be expended only upon authorization of the
57 director. The director shall adopt rules and regulations
58 regarding the time and manner in which payment shall be made into
59 the fund by state agencies, boards, commissions and other
60 institutions to which appropriations are made, in accordance with
61 provisions in this section.

62 (6) Any state agency, board, commission or institution
63 occupying offices in the office space under the jurisdiction or

64 control of the Office of Administrative Services shall pay, as
65 directed by the office into the fund created in this section, a
66 rent to be fixed by the office which shall conform to prevailing
67 commercial rents in the general area. In the event that the sums
68 are not paid as directed by the office, the director may issue a
69 requisition for a warrant to draw the amount as may be due, plus a
70 penalty of ten percent (10%) of the amount, from any fund
71 appropriated for the use of the state agency, board, commission or
72 other institution which has failed to pay rent as agreed.

73 (7) Unless exempted by the Executive Director of the
74 Department of Finance and Administration, the following state
75 agencies, boards, commissions and other institutions shall utilize
76 services provided by the Office of Administrative Services, and
77 shall comply with rules and regulations established by the office
78 pursuant to this section:

- 79 State Board of Agricultural Aviation
- 80 State Board of Architecture
- 81 State Board of Barber Examiners
- 82 State Board of Chiropractic Examiners
- 83 State Board of Cosmetology
- 84 State Board of Examiners for Licensed Professional Counselors
- 85 State Board of Dental Examiners
- 86 State Board of Engineers and Land Surveyors
- 87 State Board of Funeral Services
- 88 State Board of Massage Therapy
- 89 State Board of Medical Licensure
- 90 State Board of Nursing
- 91 State Board of Nursing Home Administrators
- 92 State Board of Optometry
- 93 State Board of Pharmacy
- 94 State Board of Physical Therapy
- 95 State Board of Psychological Examiners
- 96 State Board of Public Accountancy

97 State Board of Public Contractors
98 State Board of Real Estate Appraisers, Licensing and
99 Certification
100 State Board of Registered Professional Geologists
101 State Board of Examiners for Social Workers and Marriage and
102 Family Therapists
103 Mississippi Auctioneer Commission
104 Mississippi Athletic Commission
105 Mississippi Capital Defense Counsel
106 Mississippi Capital Post Conviction Counsel
107 Mississippi Motor Vehicle Commission
108 Mississippi Real Estate Commission
109 Other boards, agencies, commissions and institutions desiring
110 to receive services provided by the Office of Administrative
111 Services may apply for approval with the Executive Director of the
112 Department of Finance and Administration.

113 (8) The Executive Director of the Department of Finance and
114 Administration shall determine cost savings from each state
115 agency, board, commission or institution resulting from receiving
116 services provided by the Office of Administrative Services, and
117 shall provide a report of such savings to the Legislature not
118 later than January 31, 2005.

119 **SECTION 2.** Section 27-104-103, Mississippi Code of 1972, is
120 amended as follows:

121 27-104-103. (1) The Department of Finance and
122 Administration shall have the following duties and powers:

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

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

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

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

133 (e) To, at least annually, report to the Governor and
134 the Legislature on programs and actions taken to improve the
135 conduct of state operations and to prepare and recommend
136 management programs for effective and efficient management of the
137 operations of state government;

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

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

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

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

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

149 (k) To prepare the executive branch budget
150 recommendations;

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

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

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

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

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

160 (a) It shall acquire the site submitted by the
161 Mississippi Hazardous Waste Facility Siting Authority and, if

162 determined necessary, design, finance, construct and operate a
163 state commercial hazardous waste management facility;

164 (b) It may acquire by deed, purchase, lease, contract,
165 gift, devise or otherwise any real or personal property,
166 structures, rights-of-way, franchises, easements and other
167 interest in land which is necessary and convenient for the
168 construction or operation of the state commercial hazardous waste
169 management facility, upon such terms and conditions as it deems
170 advisable, hold, mortgage, pledge or otherwise encumber the same,
171 and lease, sell, convey or otherwise dispose of the same in such a
172 manner as may be necessary or advisable to carry out the purposes
173 of Chapter 18 of Title 17;

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

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

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

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

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

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

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

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

208 (k) It may establish an Office Administrative Services
209 (OAS) to provide financial, personnel, budgeting and managerial
210 services to other state agencies without sufficient resources to
211 provide such services.

212 **SECTION 3.** This act shall take effect and be in force from
213 and after July 1, 2004.