

By: Senator(s) Gordon

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 2227

1 AN ACT TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO
3 DEVELOP A STATEWIDE STRATEGIC PLAN FOR ALLOCATING STATE RESOURCES
4 AND AN ADMINISTRATIVE SERVICES BUREAU TO ASSIST AGENCIES IN
5 FINANCIAL AND BUDGETING MATTERS; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

103 **SECTION 2.** This act shall take effect and be in force from
104 and after July 1, 2003.

