

By: Representative Moore

To: Appropriations

HOUSE BILL NO. 1140

1 AN ACT TO ESTABLISH THE PERFORMANCE REVIEW COMMITTEE TO
2 REVIEW STATE SPENDING AND BUDGETARY PROCEDURES, PREPARE A
3 PERFORMANCE AUDIT WORK PLAN, PROVIDE FOR FISCAL POLICY PLANNING,
4 REVIEW SCHOOL DISTRICTS, UNIVERSITIES AND COLLEGES AND STATE
5 AGENCIES AND MAKE REPORTS AND RECOMMENDATIONS TO THE LEGISLATURE
6 AND THE GOVERNOR; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** As used in this act, "state agency" includes any
9 board, commission, department, committee, institution, agency or
10 office within the legislative, executive or judicial branch of
11 state government, including an institution of higher education.

12 **SECTION 2.** In accordance with this act, the Executive
13 Director of the Department of Finance and Administration, the
14 State Auditor and the State Treasurer shall constitute a
15 Performance Review Committee, hereafter referred to as "the
16 committee." The chairmanship of the committee shall rotate
17 annually among the three (3) members of the committee. The
18 committee shall:

19 (a) Challenge and question the basic assumptions
20 underlying all state agencies and the programs and services
21 offered by the state to identify those that are vital to the best
22 interests of the people of the State of Mississippi and those that
23 no longer meet that goal;

24 (b) Conduct a complete review of all state agencies,
25 including the organization and management of all programs,
26 services and activities operated by those agencies;

27 (c) Identify overlapping functions and outmoded
28 methodologies and advances in technology applicable to state
29 government functions;

30 (d) Evaluate the efficiency with which state agencies
31 operate the programs under their jurisdiction and fulfill the
32 duties assigned to them by law;

33 (e) Determine methods to maximize the amount of federal
34 funds received by the state for its programs in order to better
35 ensure that the people of Mississippi receive a greater share of
36 the taxes levied on them by the federal government;

37 (f) Identify any state agency or any program or service
38 now offered by a state agency that can be eliminated or
39 transferred to the private sector without injury to the public
40 good and well-being;

41 (g) Examine state government's fiscal management
42 practices and the financial relationships among state agencies;

43 (h) Examine work force issues, including benefits
44 provided to state employees;

45 (i) Consider changes to the state's revenue system to
46 increase government income without changing the rates or bases of
47 the state's major taxes or adding new tax sources;

48 (j) Recommend basic principles of debt management
49 policy for the state;

50 (k) Make recommendations for the programs and services
51 that the various agencies provide, as well as recommendations for
52 the elimination of, or reduction in, funding to various agencies,
53 programs or services based on the results of the performance audit
54 review, and consolidation and reorganization where appropriate;
55 and

56 (l) Make recommendations to the 2006 Legislature as to
57 amendments to statutory and constitutional provisions that will
58 improve the efficiency of state government, including, if
59 appropriate, recommendations on the reorganization or
60 consolidation of state agencies.

61 **SECTION 3.** The committee may require any state agency to
62 assist the committee and provide information required for the

63 committee to complete its duties under this act, and each state
64 agency shall fully and completely cooperate with the committee in
65 that regard.

66 **SECTION 4.** The committee may direct state agencies to
67 provide staff to assist as necessary for the performance of its
68 duties under this act. The committee may accept gifts, grants or
69 assistance, including the provision of specialized personnel, from
70 any private or public institution, association or organization or
71 state agency.

72 **SECTION 5.** (1) In performing its duties under this act, the
73 committee shall adopt a performance audit review work plan, and
74 may appoint task forces and subcommittees as necessary.

75 (2) The committee shall report the results of its reviews
76 and audits under this act, together with recommendations, as soon
77 as practicable. An initial report shall be delivered to the House
78 and Senate Appropriation Committees and the Governor, not later
79 than ninety (90) days after the effective date of this act.
80 Consistent with generally accepted audit principles, the committee
81 shall complete its duties and make its final reports under this
82 act by July 1, 2005.

83 **SECTION 6.** The expenses of the committee under this act
84 shall be paid from funds appropriated to each state agency and
85 office and from funds appropriated to other agencies assisting the
86 board, which funds shall be provided through interagency
87 contracts. Those contracts may be executed by the committee and
88 the agencies for this purpose without regard to the reimbursement
89 requirements of existing law.

90 **SECTION 7.** The committee shall provide for continuing review
91 and analysis of state fiscal policy and make recommendations for
92 long-term strategic planning. For that purpose, the committee
93 shall adopt recommendations that establish a four-year strategic
94 plan.

95 **SECTION 8.** (1) The committee may periodically review the
96 effectiveness and efficiency of the operations of school
97 districts, community and junior colleges, institutions of higher
98 learning and state agencies.

99 (2) The committee shall:

100 (a) Prepare a report showing the results of each review
101 conducted under this section;

102 (b) File the report with the chief executive of each
103 district, institution or agency, the Governor, the Lieutenant
104 Governor, the Speaker of the House of Representatives, the chairs
105 of the standing committees of the Senate and the House of
106 Representatives with jurisdiction over public education, and the
107 State Superintendent of Public Education; and

108 (c) Make this report and a summary of the report
109 available to the public over the Internet.

110 (3) The Legislature may consider the committee's reports in
111 the appropriations process.

112 **SECTION 9.** This act shall take effect and be in force from
113 and after its passage.