

By: Senator(s) Thames

To: Appropriations

SENATE BILL NO. 2981

1 AN ACT TO ENACT THE "MISSISSIPPI PERFORMANCE REVIEW ACT OF
 2 2007"; TO MAKE LEGISLATIVE FINDINGS; TO CREATE THE PERFORMANCE
 3 REVIEW COMMISSION AND PROVIDE FOR ITS MEMBERSHIP; TO PROVIDE THAT
 4 THE STENNIS INSTITUTE OF GOVERNMENT SHALL SERVE THE COMMISSION; TO
 5 REQUIRE STATE AGENCIES TO PROVIDE STAFF AND OTHER SUPPORT TO THE
 6 COMMISSION; TO PROVIDE THAT THE COMMISSION SHALL FUNCTION AS AN
 7 INDEPENDENT RESEARCH AND ANALYTICAL GROUP CHARGED WITH THE
 8 PREPARATION OF RECOMMENDATIONS FOR THE LEGISLATURE; AND FOR
 9 RELATED PURPOSES.

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

11 **SECTION 1.** This act may be cited as the "Mississippi
 12 Performance Review Act of 2007."

13 **SECTION 2.** (1) The Legislature finds that the citizens of
 14 Mississippi deserve a government that meets the needs of its
 15 citizens in the most efficient and cost-effective way. The state
 16 employees who provide state services to the citizens of
 17 Mississippi are among state government's most valuable assets, and
 18 are the most knowledgeable about the provision of these services
 19 to the people of Mississippi. The Legislature further finds that
 20 the state should periodically review the performance of its
 21 agencies and to utilize the knowledge and experience of its state
 22 employees in improving the efficient delivery of state services.

23 (2) The Legislature hereby declares that the public policy
 24 of this state requires a periodic, overall, comprehensive and
 25 coordinated review of the operation of state government to
 26 streamline and improve government operation. This process should
 27 extend beyond immediate problems to anticipate the future needs of
 28 government and its citizens and should focus not only on cost
 29 savings, but also on the efficiency and effectiveness of
 30 operations and service delivery.

31 **SECTION 3.** (1) The Mississippi Performance Review
32 Commission is hereby created. The commission shall be composed of
33 three members, to be appointed as follows:

34 (a) One (1) appointment by the Governor;

35 (b) One (1) appointment by the Lieutenant Governor; and

36 (c) One (1) appointment by the Speaker of the House of
37 Representatives.

38 The appointees shall be from the private sector and shall
39 have familiarity with state government operations. The members of
40 the commission shall be reimbursed for actual expenses incurred in
41 the performance of their duties, and shall receive a per diem as
42 authorized by Section 25-3-69 for attending official meetings of
43 the commission.

44 It is the intent of the Legislature that the commission
45 oversee the process of selecting and directing state government's
46 most talented individuals to develop recommendations to make the
47 delivery of state services more efficient and cost-effective.

48 Commission members shall be appointed by May 1, 2007, and the
49 commission shall have its organizational meeting no later than
50 June 1, 2007. The task force shall elect from among its
51 membership a chairman and vice chairman. Terms of service of
52 commission members shall coincide with the duration of the
53 commission.

54 **SECTION 4.** (1) The commission may direct state agencies and
55 legislative committees to provide staff to assist as necessary for
56 the performance of its duties under this act, including, but not
57 limited to the State Auditor, the State Treasurer, the Secretary
58 of State, the Department of Finance and Administration, the
59 Legislative Budget Committee, the Performance Evaluation and
60 Expenditure Review Committee.

61 (2) The commission shall be funded through any public
62 or private funds specifically appropriated to conduct such a
63 review. The commission may accept gifts, grants or assistance,

64 including the provision of specialized personnel, from any private
65 or public institution, association or organization or state
66 agency.

67 **SECTION 5.** The commission shall function as an independent
68 research and analytical group, and is authorized to do any or all
69 of the following:

70 (a) Identify obstacles to the efficient delivery of
71 services provided by state government agencies;

72 (b) Identify and analyze procedures and policies in
73 other states and the federal government that could be utilized to
74 improve the operation of Mississippi state government;

75 (c) Identify and analyze policies, procedures, and
76 equipment employed by the private sector that may be applicable to
77 state government and that would improve efficiency;

78 (d) Conduct public hearings, establish a website and
79 create a toll-free phone line in order to receive public input on
80 the recommendations of the commission;

81 (e) Conduct a review of the functions of state
82 agencies, including the organization and management of programs,
83 services and activities operated by those agencies;

84 (f) Identify overlapping functions and outmoded
85 methodologies and advances in technology applicable to state
86 government functions;

87 (g) Determine methods to maximize the amount of federal
88 funds received by the state for its programs;

89 (h) Identify any state agency or any program or service
90 now offered by a state agency that can be eliminated or
91 transferred to the private sector without injury to the public
92 good and well-being;

93 (i) Examine state government's fiscal and debt
94 management practices and the financial relationships among state
95 agencies;

96 (j) Examine the financial relationships among state
97 agencies for purposes of streamlining accountability; and

98 (k) Examine work force issues, including benefits
99 provided to state employees.

100 **SECTION 6.** (1) The commission shall make recommendations to
101 the 2008 Legislature and the Governor that will improve the
102 efficiency of state government. The recommendations shall state
103 specifically what is to be done and shall present an estimate of
104 the costs and benefits of each recommendation.

105 (2) An initial report shall be delivered to the House and
106 Senate Appropriations Committees and the Governor not later than
107 ninety (90) days after the first meeting of the commission. The
108 commission shall complete its duties and make its final reports
109 under this act by January 1, 2008.

110 **SECTION 7.** (1) The Stennis Institute of Government at
111 Mississippi State University shall serve the commission. The
112 Director of the Institute shall serve as a co-executive director
113 of the commission. The commission may secure the services of a
114 consultant who has conducted numerous similar performance reviews
115 to serve as the other co-executive director.

116 (2) All agencies, departments, divisions, boards, bureaus,
117 commissions or institutions of the state, or of any political
118 subdivision thereof, at the request of the chairman of the
119 commission, shall provide to the commission such facilities,
120 assistance and data as will enable the commission to properly
121 carry out its duties.

122 **SECTION 8.** Sections 1 through 8 of this act shall stand
123 repealed on July 1, 2009.

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