

**Senate Amendments to House Bill No. 1648**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

5       **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the support and  
8 maintenance of the Mississippi Library Commission and for carrying  
9 out the provisions of Section 39-3-107, Mississippi Code of 1972,  
10 for the fiscal year beginning July 1, 2005, and ending  
11 June 30, 2006..... \$     10,579,916.00.

12       **SECTION 2.** The following sum, or so much thereof as may be  
13 necessary, is hereby appropriated out of any money in the special  
14 fund in the State Treasury to the credit of the Mississippi  
15 Library Commission which is comprised of special source funds  
16 collected by or otherwise available to the commission, for the  
17 purpose of defraying the expenses of the commission for the fiscal  
18 year beginning July 1, 2005, and ending June 30, 2006.....  
19 ..... \$     2,444,273.00.

20       **SECTION 3.** Of the funds appropriated under the provisions of  
21 Section 1 and Section 2, not more than the amounts set forth below  
22 shall be expended for the respective major objects or purposes of  
23 expenditure:

24       **MAJOR OBJECTS OF EXPENDITURE:**

25       Personal Services:

26               Salaries, Wages and Fringe Benefits.. \$     2,044,878.00  
27               Travel and Subsistence.....             20,000.00  
28               Contractual Services.....               669,206.00  
29               Commodities.....                         107,550.00

30       Capital Outlay:

31	Other Than Equipment.....		0.00
32	Equipment.....		10,300.00
33	Subsidies, Loans and Grants.....		<u>10,172,255.00</u>
34	Total.....	\$	13,024,189.00

35 FUNDING:

36	General Funds.....	\$	10,579,916.00
37	Special Funds.....		<u>2,444,273.00</u>
38	Total.....	\$	13,024,189.00

39 AUTHORIZED POSITIONS:

40	Permanent:	Full Time.....	48
41		Part Time.....	0
42	Time-Limited:	Full Time.....	0
43		Part Time.....	0

44 With the funds herein appropriated, it is the intention of  
45 the Legislature that it shall be the agency's responsibility to  
46 make certain that funds required to be appropriated for "Personal  
47 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
48 funds appropriated for that purpose, unless programs or positions  
49 are added to the agency's Fiscal Year 2007 budget by the  
50 Mississippi Legislature. Based on data provided by the  
51 Legislative Budget Office, the State Personnel Board shall  
52 determine and publish the projected annual cost to fully fund all  
53 appropriated positions in compliance with the provisions of this  
54 act. It shall be the responsibility of the agency head to insure  
55 that no single personnel action increases this projected annual  
56 cost and/or the Fiscal Year 2006 appropriation for "Personal  
57 Services" when annualized, with the exception of escalated funds.  
58 If, at the time the agency takes any action to change "Personal  
59 Services," the State Personnel Board determines that the agency  
60 has taken an action which would cause the agency to exceed this  
61 projected annual cost or the Fiscal Year 2006 "Personal Services"  
62 appropriated level, when annualized, then only those actions which  
63 reduce the projected annual cost and/or the appropriation  
64 requirement will be processed by the State Personnel Board until  
65 such time as the requirements of this provision are met.

66 Any transfers or escalations shall be made in accordance with  
67 the terms, conditions and procedures established by law or  
68 allowable under the terms set forth within this act. The State  
69 Personnel Board shall not escalate positions without written  
70 approval from the Department of Finance and Administration. The  
71 Department of Finance and Administration shall not provide written  
72 approval to escalate any funds for salaries and/or positions  
73 without proof of availability of new or additional funds above the  
74 appropriated level.

75 No general funds authorized to be expended herein shall be  
76 used to replace federal funds and/or other special funds which are  
77 being used for salaries authorized under the provisions of this  
78 act and which are withdrawn and no longer available.

79 Funds to be distributed to eligible public library systems  
80 under the Personnel Incentive Grants Program shall be paid  
81 quarterly in advance on or before September 30, December 31, March  
82 31 and June 30.

83 **SECTION 4.** It is the intention of the Legislature that the  
84 Mississippi Library Commission shall maintain complete accounting  
85 and personnel records related to the expenditure of all funds  
86 appropriated under this act and that such records shall be in the  
87 same format and level of detail as maintained for Fiscal Year  
88 2005. It is further the intention of the Legislature that the  
89 agency's budget request for Fiscal Year 2007 shall be submitted to  
90 the Joint Legislative Budget Committee in a format and level of  
91 detail comparable to the format and level of detail provided  
92 during the Fiscal Year 2006 budget request process.

93 **SECTION 5.** Of the funds appropriated under the provisions of  
94 Section 2, Four Hundred Ninety-three Thousand Eight Hundred  
95 Forty-seven Dollars (\$493,847.00) shall be derived from the  
96 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
97 and 27-67-31, Mississippi Code of 1972.

98 **SECTION 6.** In compliance with the "Mississippi Performance  
99 Budget and Strategic Planning Act of 1994," it is the intent of  
100 the Legislature that the funds provided herein shall be utilized

101 in the most efficient and effective manner possible to achieve the  
102 intended mission of this agency. Based on the funding authorized,  
103 this agency shall make every effort to attain the targeted  
104 performance measures provided below:

	FY2006
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Average Cost of Administering per Grant (\$)	150
Executive Director's Office	
Public Libraries Visited (Actions)	50
Library Aid	
Grants Provided (Grants)	150
MAGNOLIA Database searches (Queries)	1,700,000
Network Services	
Cost per hour for technical consulting (\$)	27
Public Services	
Attendees satisfaction rating of Continuing Education Program (% of Approval)	92

119 A reporting of the degree to which the performance targets  
120 set above have been or are being achieved shall be provided in the  
121 agency's budget request submitted to the Joint Legislative Budget  
122 Committee for Fiscal Year 2007.

123 **SECTION 7.** It is the intention of the Legislature that the  
124 Mississippi Library Commission shall have the authority to  
125 escalate its budget and expend funds from any source not to exceed  
126 Three Million Dollars (\$3,000,000.00) in accordance with rules and  
127 regulations of the Department of Finance and Administration in a  
128 manner consistent with the escalation of federal funds.

129 **SECTION 8.** Of the funds appropriated herein, not less than  
130 One Million Eighty-six Thousand Three Hundred Forty Dollars  
131 (\$1,086,340.00) shall be expended for the Magnolia Database.

132 **SECTION 9.** The money herein appropriated shall be paid by  
133 the State Treasurer out of any money in the State Treasury to the  
134 credit of the proper fund or funds as set forth in this act, upon  
135 warrants issued by the State Fiscal Officer; and the State Fiscal

136 Officer shall issue his warrants upon requisitions signed by the  
137 proper person, officer or officers, in the manner provided by law.

138         **SECTION 10.** This act shall take effect and be in force from  
139 and after July 1, 2005.

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John O. Gilbert  
Secretary of the Senate