

By: Representatives Brown,
Broomfield, Dickson, Hudson,
Markham, Peranich, Straughter,
Warren, Weathersby

To: Appropriations

HOUSE BILL NO. 66

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL
3 YEAR 2006.

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

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..... \$ 10,842,010.00.

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 \$ 2,896,315.00.

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.. \$ 2,063,261.00
27 Travel and Subsistence..... 25,000.00

28	Contractual Services.....	1,040,000.00
29	Commodities.....	140,000.00
30	Capital Outlay:	
31	Other Than Equipment.....	0.00
32	Equipment.....	15,000.00
33	Subsidies, Loans and Grants.....	<u>10,455,064.00</u>
34	Total.....	\$ 13,738,325.00

35 FUNDING:

36	General Funds.....	\$ 10,842,010.00
37	Special Funds.....	<u>2,896,315.00</u>
38	Total.....	\$ 13,738,325.00

39 AUTHORIZED POSITIONS:

40	Permanent: Full Time.....	52
41	Part Time.....	0
42	Time-Limited: Full Time.....	0

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

61 appropriated level, when annualized, then only those actions which
62 reduce the projected annual cost and/or the appropriation
63 requirement will be processed by the State Personnel Board until
64 such time as the requirements of this provision are met.

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

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

78 The agency shall not take any action to promote or otherwise
79 award salary increases through reallocation, reclassification,
80 realignment, education benchmark, career ladder, or any other
81 means to increase salaries of employees or positions unless
82 specifically exempted by the following conditions: the award of
83 teacher pay increases, the advancement of a trainee/cadet to the
84 next level of a bona fide career ladder, the award of an
85 educational benchmark for the attainment of Certified Public
86 Accountant License or higher level professional certification as
87 determined by the State Personnel Board, the immediate replacement
88 of a departing employee with an individual from within state
89 service or a new hire at a salary level equivalent to that of the
90 departing employee, and the emergency appointment of nurses,
91 pharmacists or other health care professionals at a salary to be
92 determined by the State Personnel Board, unless otherwise
93 authorized in this act.

94 Funds to be distributed to eligible public library systems
95 under the Personnel Incentive Grants Program shall be paid
96 quarterly in advance on or before September 30, December 31, March
97 31 and June 30.

98 **SECTION 4.** It is the intention of the Legislature that the
99 Mississippi Library Commission shall maintain complete accounting
100 and personnel records related to the expenditure of all funds
101 appropriated under this act and that such records shall be in the
102 same format and level of detail as maintained for Fiscal Year
103 2005. It is further the intention of the Legislature that the
104 agency's budget request for Fiscal Year 2007 shall be submitted to
105 the Joint Legislative Budget Committee in a format and level of
106 detail comparable to the format and level of detail provided
107 during the Fiscal Year 2006 budget request process.

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

113 **SECTION 6.** In compliance with the "Mississippi Performance
114 Budget and Strategic Planning Act of 1994," it is the intent of
115 the Legislature that the funds provided herein shall be utilized
116 in the most efficient and effective manner possible to achieve the
117 intended mission of this agency. Based on the funding authorized,
118 this agency shall make every effort to attain the targeted
119 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	

127	Grants Provided (Grants)	150
128	MAGNOLIA Database searches (Queries)	1,700,000
129	Network Services	
130	Cost per hour for technical consulting (\$)	27
131	Public Services	
132	Attendees satisfaction rating of Continuing	
133	Education Program (% of Approval)	92
134	A reporting of the degree to which the performance targets	
135	set above have been or are being achieved shall be provided in the	
136	agency's budget request submitted to the Joint Legislative Budget	
137	Committee for Fiscal Year 2007.	

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

144 **SECTION 8.** Of the funds appropriated herein, not less than
145 One Million Eighty-six Thousand Three Hundred Forty Dollars
146 (\$1,086,340.00) shall be expended for the Magnolia Database.

147 **SECTION 9.** It is the intention of the Legislature that the
148 Executive Director of the Mississippi Library Commission may
149 increase major objects of expenditure in total amounts not to
150 exceed twenty-five percent (25%) of the appropriated amount of
151 each major object of expenditure, provided that other major
152 objects of expenditure are decreased by a corresponding dollar
153 amount and provided the Executive Director of the Mississippi
154 Department of Finance and Administration also approves with
155 written authorization. However, no transfers shall be authorized
156 which increase the major object of expenditure "Salaries, Wages
157 and Fringe Benefits."

158 **SECTION 10.** The money herein appropriated shall be paid by
159 the State Treasurer out of any money in the State Treasury to the

160 credit of the proper fund or funds as set forth in this act, upon
161 warrants issued by the State Fiscal Officer; and the State Fiscal
162 Officer shall issue his warrants upon requisitions signed by the
163 proper person, officer or officers, in the manner provided by law.

164 **SECTION 11.** This act shall take effect and be in force from
165 and after July 1, 2005.