

Senate Amendments to House Bill No. 1561

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, 2006, and ending
11 June 30, 2007..... \$ 11,255,596.00.

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, 2006, and ending June 30, 2007.....
19 \$ 2,836,381.00.

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.. \$ 2,086,718.00

27 Travel and Subsistence..... 25,000.00

28 Contractual Services..... 804,281.00

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>11,020,978.00</u>
34	Total.....	\$ 14,091,977.00

35 FUNDING:

36	General Funds.....	\$ 11,255,596.00
37	Special Funds.....	<u>2,836,381.00</u>
38	Total.....	\$ 14,091,977.00

39 AUTHORIZED POSITIONS:

40	Permanent: Full Time.....	44
41	Part Time.....	0
42	Time-Limited: Full Time.....	0
43	Part Time.....	0

44 Funds are provided herein to adjust the Variable Compensation
45 Plan to ensure that all full-time employees receive a pay increase
46 equal to the realignment component of the Variable Compensation
47 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
48 beginning on July 1, 2006.

49 Pursuant to policies established by the State Personnel
50 Board, agency heads may, on a case by case basis and within funds
51 available, recommend equity salary adjustments to Fiscal Year 2006
52 agency appropriation acts where application of limitations result
53 in awarding one employee a salary increase greater than another
54 employee within the same agency, with the same job classification
55 series and greater longevity.

56 With the funds herein appropriated, it is the intention of
57 the Legislature that it shall be the agency's responsibility to
58 make certain that funds required to be appropriated for "Personal
59 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
60 funds appropriated for that purpose, unless programs or positions
61 are added to the agency's Fiscal Year 2008 budget by the
62 Mississippi Legislature. Based on data provided by the
63 Legislative Budget Office, the State Personnel Board shall
64 determine and publish the projected annual cost to fully fund all
65 appropriated positions in compliance with the provisions of this

66 act. It shall be the responsibility of the agency head to insure
67 that no single personnel action increases this projected annual
68 cost and/or the Fiscal Year 2007 appropriation for "Personal
69 Services" when annualized, with the exception of escalated funds.
70 If, at the time the agency takes any action to change "Personal
71 Services," the State Personnel Board determines that the agency
72 has taken an action which would cause the agency to exceed this
73 projected annual cost or the Fiscal Year 2007 "Personal Services"
74 appropriated level, when annualized, then only those actions which
75 reduce the projected annual cost and/or the appropriation
76 requirement will be processed by the State Personnel Board until
77 such time as the requirements of this provision are met.

78 Any transfers or escalations shall be made in accordance with
79 the terms, conditions and procedures established by law or
80 allowable under the terms set forth within this act. The State
81 Personnel Board shall not escalate positions without written
82 approval from the Department of Finance and Administration. The
83 Department of Finance and Administration shall not provide written
84 approval to escalate any funds for salaries and/or positions
85 without proof of availability of new or additional funds above the
86 appropriated level.

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

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

95 **SECTION 4.** It is the intention of the Legislature that the
96 Mississippi Library Commission shall maintain complete accounting
97 and personnel records related to the expenditure of all funds
98 appropriated under this act and that such records shall be in the
99 same format and level of detail as maintained for Fiscal Year
100 2006. It is further the intention of the Legislature that the

101 agency's budget request for Fiscal Year 2008 shall be submitted to
102 the Joint Legislative Budget Committee in a format and level of
103 detail comparable to the format and level of detail provided
104 during the Fiscal Year 2007 budget request process.

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

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

	FY2007
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Average Cost of Administering per Grant (\$)	200
Executive Director's Office	
Public Libraries Visited (Actions)	50
Library Aid	
Grants Provided (Grants)	250
MAGNOLIA Database searches (Queries)	2,000,000
Network Services	
Cost per hour for technical consulting (\$)	40
Public Services	
Attendees satisfaction rating of Continuing Education Program (% of Approval)	95

131 A reporting of the degree to which the performance targets
132 set above have been or are being achieved shall be provided in the
133 agency's budget request submitted to the Joint Legislative Budget
134 Committee for Fiscal Year 2008.

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

141 **SECTION 8.** Of the funds appropriated herein, not less than
142 One Million Eighty-six Thousand Three Hundred Forty Dollars
143 (\$1,086,340.00) shall be expended for the Magnolia Database.

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

155 **SECTION 10.** Of the funds appropriated herein, Three Million
156 Two Hundred Eighty-six Thousand Nine Hundred Forty-four Dollars
157 (\$3,286,944.00) is provided for the cost of health insurance for
158 all full-time library staff members in each public library in
159 Mississippi.

160 **SECTION 11.** It is the intention of the Legislature that
161 whenever two (2) or more bids are received by this agency for the
162 purchase of commodities or equipment, and whenever all things
163 stated in such received bids are equal with respect to price,
164 quality and service, the Mississippi Industries for the Blind
165 shall be given preference. A similar preference shall be given to
166 the Mississippi Industries for the Blind whenever purchases are
167 made without competitive bids.

168 **SECTION 12.** The money herein appropriated shall be paid by
169 the State Treasurer out of any money in the State Treasury to the

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

174 **SECTION 13.** This act shall take effect and be in force from
175 and after July 1, 2006.

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John O. Gilbert
Secretary of the Senate