

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

To: Appropriations

HOUSE BILL NO. 1688

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL
3 YEAR 2008.

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, 2007, and ending
11 June 30, 2008..... \$ 12,896,991.00.

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, 2007, and ending June 30, 2008.....
19 \$ 2,692,244.00.

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.. \$ 2,490,275.00
27 Travel and Subsistence..... 25,000.00

28	Contractual Services.....	967,680.00
29	Commodities.....	197,695.00
30	Capital Outlay:	
31	Other Than Equipment.....	0.00
32	Equipment.....	21,500.00
33	Vehicles.....	0.00
34	Wireless Communication Devices.....	0.00
35	Subsidies, Loans and Grants.....	<u>11,887,085.00</u>
36	Total..... \$	15,589,235.00

37 FUNDING:

38	General Funds..... \$	12,896,991.00
39	Special Funds.....	<u>2,692,244.00</u>
40	Total..... \$	15,589,235.00

41 AUTHORIZED POSITIONS:

42	Permanent: Full Time.....	52
43	Part Time.....	0
44	Time-Limited: Full Time.....	0
45	Part Time.....	0

46 Funds are provided herein to adjust the Variable Compensation
47 Plan to ensure that all full-time employees receive a pay increase
48 equal to the realignment component of the Variable Compensation
49 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
50 is greater.

51 With the funds herein appropriated, it is the intention of
52 the Legislature that it shall be the agency's responsibility to
53 make certain that funds required to be appropriated for "Personal
54 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
55 funds appropriated for that purpose, unless programs or positions
56 are added to the agency's Fiscal Year 2009 budget by the
57 Mississippi Legislature. Based on data provided by the
58 Legislative Budget Office, the State Personnel Board shall
59 determine and publish the projected annual cost to fully fund all
60 appropriated positions in compliance with the provisions of this

61 act. It shall be the responsibility of the agency head to insure
62 that no single personnel action increases this projected annual
63 cost and/or the Fiscal Year 2008 appropriation for "Personal
64 Services" when annualized, with the exception of escalated funds.
65 If, at the time the agency takes any action to change "Personal
66 Services," the State Personnel Board determines that the agency
67 has taken an action which would cause the agency to exceed this
68 projected annual cost or the Fiscal Year 2008 "Personal Services"
69 appropriated level, when annualized, then only those actions which
70 reduce the projected annual cost and/or the appropriation
71 requirement will be processed by the State Personnel Board until
72 such time as the requirements of this provision are met.

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

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

86 Funds to be distributed to eligible public library systems
87 under the Personnel Incentive Grants Program shall be paid
88 quarterly in advance on or before September 30, December 31, March
89 31 and June 30.

90 **SECTION 4.** It is the intention of the Legislature that the
91 Mississippi Library Commission shall maintain complete accounting
92 and personnel records related to the expenditure of all funds
93 appropriated under this act and that such records shall be in the

94 same format and level of detail as maintained for Fiscal Year
 95 2007. It is further the intention of the Legislature that the
 96 agency's budget request for Fiscal Year 2009 shall be submitted to
 97 the Joint Legislative Budget Committee in a format and level of
 98 detail comparable to the format and level of detail provided
 99 during the Fiscal Year 2008 budget request process.

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

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

	FY2008
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Average Cost of Administering per Grant (\$)	250
Executive Director's Office	
Public Libraries Visited (Actions)	50
Library Aid	
Grants Provided (Grants)	250
MAGNOLIA Database searches (Queries)	6,300,000
Network Services	
Cost per hour for technical consulting (\$)	45
Public Services	
Attendees satisfaction rating of Continuing	
Education Program (% of Approval)	96

126 A reporting of the degree to which the performance targets
127 set above have been or are being achieved shall be provided in the
128 agency's budget request submitted to the Joint Legislative Budget
129 Committee for Fiscal Year 2009.

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

136 **SECTION 8.** Of the funds appropriated herein, not less than
137 One Million Three Hundred Four Thousand Nine Hundred Seventy-four
138 Dollars (\$1,304,974.00) shall be expended for the Magnolia
139 Database.

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

151 **SECTION 10.** Of the funds appropriated herein, Three Million
152 Two Hundred Eighty-six Thousand Nine Hundred Forty-four Dollars
153 (\$3,286,944.00) is provided for the cost of health insurance for
154 all full-time library staff members in each public library in
155 Mississippi.

156 **SECTION 11.** It is the intention of the Legislature that
157 whenever two (2) or more bids are received by this agency for the
158 purchase of commodities or equipment, and whenever all things

159 stated in such received bids are equal with respect to price,
160 quality and service, the Mississippi Industries for the Blind
161 shall be given preference. A similar preference shall be given to
162 the Mississippi Industries for the Blind whenever purchases are
163 made without competitive bids.

164 **SECTION 12.** The money herein appropriated shall be paid by
165 the State Treasurer out of any money in the State Treasury to the
166 credit of the proper fund or funds as set forth in this act, upon
167 warrants issued by the State Fiscal Officer; and the State Fiscal
168 Officer shall issue his warrants upon requisitions signed by the
169 proper person, officer or officers, in the manner provided by law.

170 **SECTION 13.** This act shall take effect and be in force from
171 and after July 1, 2007.