

Senate Amendments to House Bill No. 1688

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, 2007, and ending
11 June 30, 2008..... \$ 12,062,085.00.

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 \$ 2,692,997.00.

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.. \$ 2,190,114.00
27 Travel and Subsistence..... 25,000.00
28 Contractual Services..... 904,281.00
29 Commodities..... 140,000.00
30 Capital Outlay:

31	Other Than Equipment.....	0.00
32	Equipment.....	15,000.00
33	Vehicles.....	0.00
34	Wireless Communication Devices.....	0.00
35	Subsidies, Loans and Grants.....	<u>11,480,687.00</u>
36	Total.....	\$ 14,755,082.00

37 FUNDING:

38	General Funds.....	\$ 12,062,085.00
39	Special Funds.....	<u>2,692,997.00</u>
40	Total.....	\$ 14,755,082.00

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 Dollars (\$1,000.00), or Three Percent (3%)
50 whichever is greater, to be awarded on July 1, 2007.

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

100 determined by the State Personnel Board, unless otherwise
101 authorized in this act.

102 Funds to be distributed to eligible public library systems
103 under the Personnel Incentive Grants Program shall be paid
104 quarterly in advance on or before September 30, December 31, March
105 31 and June 30.

106 **SECTION 4.** It is the intention of the Legislature that the
107 Mississippi Library Commission shall maintain complete accounting
108 and personnel records related to the expenditure of all funds
109 appropriated under this act and that such records shall be in the
110 same format and level of detail as maintained for Fiscal Year
111 2007. It is further the intention of the Legislature that the
112 agency's budget request for Fiscal Year 2009 shall be submitted to
113 the Joint Legislative Budget Committee in a format and level of
114 detail comparable to the format and level of detail provided
115 during the Fiscal Year 2008 budget request process.

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

121 **SECTION 6.** In compliance with the "Mississippi Performance
122 Budget and Strategic Planning Act of 1994," it is the intent of
123 the Legislature that the funds provided herein shall be utilized
124 in the most efficient and effective manner possible to achieve the
125 intended mission of this agency. Based on the funding authorized,
126 this agency shall make every effort to attain the targeted
127 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	

135	Grants Provided (Grants)	250
136	MAGNOLIA Database searches (Queries)	6,300,000
137	Network Services	
138	Cost per hour for technical consulting (\$)	45
139	Public Services	
140	Attendees satisfaction rating of Continuing	
141	Education Program (% of Approval)	96

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

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

152 **SECTION 8.** Of the funds appropriated herein, not less than
153 One Million One Hundred Eighty-six Thousand Three Hundred Forty
154 Dollars (\$1,186,340.00) shall be expended for the Magnolia
155 Database.

156 **SECTION 9.** It is the intention of the Legislature that the
157 Executive Director of the Mississippi Library Commission may
158 increase major objects of expenditure in total amounts not to
159 exceed twenty-five percent (25%) of the appropriated amount of
160 each major object of expenditure, provided that other major
161 objects of expenditure are decreased by a corresponding dollar
162 amount and provided the Executive Director of the Mississippi
163 Department of Finance and Administration also approves with
164 written authorization. However, no transfers shall be authorized
165 which increase the major object of expenditure "Salaries, Wages
166 and Fringe Benefits."

167 **SECTION 10.** Of the funds appropriated herein, Three Million
168 Four Hundred Forty-eight Thousand Five Hundred Twelve Dollars
169 (\$3,448,512.00) is provided for the cost of health insurance for

170 all full-time library staff members in each public library in
171 Mississippi.

172 **SECTION 11.** It is the intention of the Legislature that
173 whenever two (2) or more bids are received by this agency for the
174 purchase of commodities or equipment, and whenever all things
175 stated in such received bids are equal with respect to price,
176 quality and service, the Mississippi Industries for the Blind
177 shall be given preference. A similar preference shall be given to
178 the Mississippi Industries for the Blind whenever purchases are
179 made without competitive bids.

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

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

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John O. Gilbert
Secretary of the Senate