

By: Representatives Frierson, Moore, Arnold, To: Appropriations
Banks, Barker, Beckett, Bennett, Bounds,
Brown, Busby, Clarke, Cockerham, Coleman,
Currie, DeLano, Denny, Eure, Gipson, Holland,
Huddleston (30th), Ladner, Mettetal, Monsour,
Read, Shows, Staples, Sullivan, Turner, Watson

HOUSE BILL NO. 1645

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL
3 YEAR 2017.

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the support and maintenance
8 of the Mississippi Library Commission and for carrying out the
9 provisions of Section 39-3-107, Mississippi Code of 1972, for the
10 fiscal year beginning July 1, 2016, and ending June 30, 2017
11\$ 11,193,284.00.

12 **SECTION 2.** The following sum, or so much thereof as may be
13 necessary, is appropriated out of any money in the special fund in
14 the State Treasury to the credit of the Mississippi Library
15 Commission which is comprised of special source funds collected by
16 or otherwise available to the commission, for the purpose of
17 defraying the expenses of the commission for the fiscal year
18 beginning July 1, 2016, and ending June 30, 2017.....



19\$ 2,529,259.00.

20 **SECTION 3.** Of the funds appropriated under the provisions of
21 this act, the following positions are authorized:

22 AUTHORIZED POSITIONS:

23	Permanent:	Full Time.....	43
24		Part Time.....	0
25	Time-Limited:	Full Time.....	0
26		Part Time.....	0

27 With the funds herein appropriated, it shall be the agency's
28 responsibility to make certain that funds required to be
29 appropriated for "Personal Services" for Fiscal Year 2018 do not
30 exceed Fiscal Year 2017 funds appropriated for that purpose,
31 unless programs or positions are added to the agency's Fiscal Year
32 2017 budget by the Mississippi Legislature. Based on data
33 provided by the Legislative Budget Office, the State Personnel
34 Board shall determine and publish the projected annual cost to
35 fully fund all appropriated positions in compliance with the
36 provisions of this act. It shall be the responsibility of the
37 agency head to ensure that no single personnel action increases
38 this projected annual cost and/or the Fiscal Year 2017
39 appropriations for "Personal Services" when annualized, with the
40 exception of escalated funds and the award of benchmarks. If, at
41 the time the agency takes any action to change "Personal
42 Services," the State Personnel Board determines that the agency
43 has taken an action which would cause the agency to exceed this



44 projected annual cost or the Fiscal Year 2017 "Personal Services"
45 appropriated level, when annualized, then only those actions which
46 reduce the projected annual cost and/or the appropriation
47 requirement will be processed by the State Personnel Board until
48 such time as the requirements of this provision are met.

49 Any transfers or escalations shall be made in accordance with
50 the terms, conditions and procedures established by law or
51 allowable under the terms set forth within this act. The State
52 Personnel Board shall not escalate positions without written
53 approval from the Department of Finance and Administration. The
54 Department of Finance and Administration shall not provide written
55 approval to escalate any funds for salaries and/or positions
56 without proof of availability of new or additional funds above the
57 appropriated level.

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

62 None of the funds herein appropriated shall be used in
63 violation of Internal Revenue Service's Publication 15-A relating
64 to the reporting of income paid to contract employees, as
65 interpreted by the Office of the State Auditor.

66 Funds to be distributed to eligible public library systems
67 under the Personnel Incentive Grants Program shall be paid



68 quarterly in advance on or before September 30, December 31, March
69 31 and June 30.

70 **SECTION 4.** It is the intention of the Legislature that the
71 Mississippi Library Commission shall maintain complete accounting
72 and personnel records related to the expenditure of all funds
73 appropriated under this act and that such records shall be in the
74 same format and level of detail as maintained for Fiscal Year
75 2016. It is further the intention of the Legislature that the
76 agency's budget request for Fiscal Year 2018 shall be submitted to
77 the Joint Legislative Budget Committee in a format and level of
78 detail comparable to the format and level of detail provided
79 during the Fiscal Year 2017 budget request process.

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

85 **SECTION 6.** In compliance with the "Mississippi Performance
86 Budget and Strategic Planning Act of 1994," it is the intent of
87 the Legislature that the funds provided herein shall be utilized
88 in the most efficient and effective manner possible to achieve the
89 intended mission of this agency. Based on the funding authorized,
90 this agency shall make every effort to attain the targeted
91 performance measures provided below:

92

FY2017



93	<u>Performance Measures</u>	<u>Target</u>
94	Administrative Services	
95	Percentage Increase of Mean Download Speed	
96	at Public Libraries (%)	400.00
97	Number of Helpdesk Tickets Resolved	650
98	Mean Download Speed at Public Libraries (Mbps)	36.00
99	% Increase in Bandwidth of Public Libraries	400.00
100	Library Services	
101	# of MAGNOLIA Items Accessed/Downloaded	
102	On the Interlibrary Loan System	50,000,000
103	Number of items available for use statewide	
104	Interlibrary Loan System	5,600,000
105	Number of Items Borrowed and Loaned on the	
106	on the Interlibrary Loan System	17,000
107	# of Patrons Utilizing Braille, Audio, etc.	3,000
108	# of Library Site Visits by Commission Staff	100
109	Number of Continuing Education Workshops	
110	Held Per Year	20
111	Number of Children Participating in Statewide	
112	Summer Library Program	35,000
113	% Increase of citizens informed and engaged	
114	by acquiring needed information through	
115	Mississippi Libraries	1.00
116	% Increase of citizens with access to job	
117	skills training and college entrance exam	



118 assistance utilizing Mississippi Libraries 1.00
119 % Increase of Children Participating in
120 Statewide Summer Library 2.00

121 A reporting of the degree to which the performance targets
122 set above have been or are being achieved shall be provided in the
123 agency's budget request submitted to the Joint Legislative Budget
124 Committee for Fiscal Year 2018.

125 **SECTION 7.** It is the intention of the Legislature that no
126 less than One Million Dollars (\$1,000,000.00) shall be expended
127 for the Magnolia Database.

128 **SECTION 8.** Of the funds appropriated herein, Three Million
129 Four Hundred Nine Thousand Fifty-six Dollars (\$3,409,056.00) is
130 provided for the cost of health insurance for all full-time
131 library staff members in each public library in Mississippi.

132 **SECTION 9.** It is the intention of the Legislature that
133 whenever two (2) or more bids are received by this agency for the
134 purchase of commodities or equipment, and whenever all things
135 stated in such received bids are equal with respect to price,
136 quality and service, the Mississippi Industries for the Blind
137 shall be given preference. A similar preference shall be given to
138 the Mississippi Industries for the Blind whenever purchases are
139 made without competitive bids.

140 **SECTION 10.** It is the intention of the Legislature that the
141 funds herein appropriated shall be expended in compliance with
142 Section 27-104-25, Mississippi Code of 1972, that no state agency



shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The amount of funds appropriated from the State General Fund in this bill are conditioned upon the availability for appropriation of the full amount of the state general funds that were projected in the general fund revenue estimate for fiscal year 2017 that was determined under the provision of Section 27-103-125.

If the amount of general funds projected to be available for appropriation for fiscal year 2017 would be reduced by the enactment into law of any revenue bills, as defined in Joint Rule 40, that have been passed by the House of Representatives by March 17, 2016, then the amount of funds appropriated from the State General Fund in this bill shall be reduced by the same percentage reduction in the amount of general funds that would be available for appropriation for fiscal year 2017, and the reduced amount shall be engrossed into this bill before it is transmitted to Senate.

The determination of whether the House has passed any such revenue bills by March 17, 2016, and the amount and percentage of the resulting reduction in the amount of general funds projected to be available for appropriation for fiscal year 2017, shall be determined by the Legislative Budget Office and certified in



168 writing to the Chairman of the House Appropriations Committee by
169 the Director of the Legislative Budget Office.

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

176 **SECTION 13.** This act shall take effect and be in force from
177 and after July 1, 2016; and shall stand repealed from and after
178 June 30, 2016.

