

By: Representatives Read, Bennett, Arnold, Banks, Barton, Beckett, Bounds, Boyd, Brown, Busby, Clarke, Cockerham, DeLano, Eure, Holland, Ladner, Massengill, Mettetal, Sullivan, Turner, Watson, Willis, Sykes, Faulkner

To: Appropriations

HOUSE BILL NO. 1644
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL
3 YEAR 2020.

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, 2019, and ending June 30, 2020
11\$ 9,438,152.00.

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, 2019, and ending June 30, 2020.....



19\$ 3,462,685.00.

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.....	48
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 2021 do not
30 exceed Fiscal Year 2020 funds appropriated for that purpose,
31 unless programs or positions are added to the agency's Fiscal Year
32 2020 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 2020
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 2020 "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 Funds are provided herein for all full-time employees to
50 receive up to a Three Percent (3%) pay increase to the realignment
51 component of the Variable Compensation Plan, excluding head of
52 agencies, board members and commission members.

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

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65 act and which are withdrawn and no longer available.

66 None of the funds herein appropriated shall be used in
67 violation of Internal Revenue Service's Publication 15-A relating



68 to the reporting of income paid to contract employees, as
69 interpreted by the Office of the State Auditor.

70 Funds to be distributed to eligible public library systems
71 under the Personnel Incentive Grants Program shall be paid
72 quarterly in advance on or before September 30, December 31, March
73 31 and June 30.

74 **SECTION 4.** It is the intention of the Legislature that the
75 Mississippi Library Commission shall maintain complete accounting
76 and personnel records related to the expenditure of all funds
77 appropriated under this act and that such records shall be in the
78 same format and level of detail as maintained for Fiscal Year
79 2019. It is further the intention of the Legislature that the
80 agency's budget request for Fiscal Year 2021 shall be submitted to
81 the Joint Legislative Budget Committee in a format and level of
82 detail comparable to the format and level of detail provided
83 during the Fiscal Year 2020 budget request process.

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

89 **SECTION 6.** In compliance with the "Mississippi Performance
90 Budget and Strategic Planning Act of 1994," it is the intent of
91 the Legislature that the funds provided herein shall be utilized
92 in the most efficient and effective manner possible to achieve the



93 intended mission of this agency. Based on the funding authorized,
94 this agency shall make every effort to attain the targeted
95 performance measures provided below:

96 FY2020

97 Performance Measures Target

98 Administrative Services

99 Help desk tickets resolved (Number of) 1,350.00

100 Library Services

101 Continuing education workshops held per
102 year (Number of) 30.00

103 Increase of citizens informed by
104 acquiring needed information through
105 Mississippi libraries (%) 1.00

106 Library visits by commission staff
107 (Number of) 100.00

108 Patrons utilizing Braille, Audio, etc
109 (Number of) 3,000.00

110 Children participating in Statewide
111 Summer Library program (Number of) 120,000.00

112 Items borrowed and loaned on the
113 interlibrary loan system (Number of) 15,000.00

114 Items available for use statewide on the
115 interlibrary loan system (Number of) 5,000,000.00

116 Searches on MAGNOLIA (Number of) 50,000,000.00



117 A reporting of the degree to which the performance targets
118 set above have been or are being achieved shall be provided in the
119 agency's budget request submitted to the Joint Legislative Budget
120 Committee for Fiscal Year 2021.

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

124 **SECTION 8.** Of the funds appropriated herein, Three Million
125 Five Hundred Fifty-five Thousand Seven Hundred Seventy-nine
126 Dollars (\$3,555,779.00) is provided for the cost of health
127 insurance for all full-time library staff members in each public
128 library in Mississippi.

129 **SECTION 9.** Of the funds appropriated in Section 2, the
130 following sum, or so much thereof as may be necessary, is hereby
131 appropriated out of any money in the State Treasury to the credit
132 of the Capital Expense Fund, and allocated in a manner as
133 determined by the State Treasurer, to defray the expenses of the
134 Library Commission for the fiscal year beginning July 1, 2019, and
135 ending June 30, 2020.....\$476,654.00.

136 **SECTION 10.** It is the intention of the Legislature that
137 whenever two (2) or more bids are received by this agency for the
138 purchase of commodities or equipment, and whenever all things
139 stated in such received bids are equal with respect to price,
140 quality and service, the Mississippi Industries for the Blind
141 shall be given preference. A similar preference shall be given to



142 the Mississippi Industries for the Blind whenever purchases are
143 made without competitive bids.

144 **SECTION 11.** It is the intention of the Legislature that the
145 funds herein appropriated shall be expended in compliance with
146 Section 27-104-25, Mississippi Code of 1972, that no state agency
147 shall incur obligations or indebtedness in excess of their
148 appropriation and that the responsible officers, either personally
149 or upon their official bonds, shall be held responsible for
150 actions contrary to this provision.

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

157 **SECTION 13.** This act shall take effect and be in force from
158 and after July 1, 2019.

