

Senate Amendments to House Bill No. 1701

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 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, 2020, and ending June 30, 2021
11\$ 8,780,549.00.

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, 2020, and ending June 30, 2021.....
19\$ 2,796,092.00.

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..... | 47 |
| 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 2022 do not
30 exceed Fiscal Year 2021 funds appropriated for that purpose,
31 unless programs or positions are added to the agency's Fiscal Year
32 2021 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 2021
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 2021 "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 2020. It is further the intention of the Legislature that the
76 agency's budget request for Fiscal Year 2022 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 2021 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:

| | FY2021 |
|---|---------------|
| <u>Performance Measures</u> | <u>Target</u> |
| Administrative Services | |
| Help desk tickets resolved (Number of) | 1,350 |
| Library Services | |
| Continuing education workshops held per | |
| year (Number of) | 30 |

| | | |
|-----|--|------------|
| 99 | Increase of citizens informed by | |
| 100 | acquiring needed information through | |
| 101 | Mississippi libraries (%) | 1.00 |
| 102 | Library visits by commission staff | |
| 103 | (Number of) | 175 |
| 104 | Patrons utilizing Braille, Audio, etc | |
| 105 | (Number of) | 3,500 |
| 106 | Children participating in Statewide | |
| 107 | Summer Library program (Number of) | 120,000 |
| 108 | Items borrowed and loaned on the | |
| 109 | interlibrary loan system (Number of) | 13,000 |
| 110 | Items available for use statewide on the | |
| 111 | interlibrary loan system (Number of) | 5,000,000 |
| 112 | Searches on MAGNOLIA (Number of) | 45,000,000 |
| 113 | Items available for use at MLC (primary | |
| 114 | resource library) (Number of) | 100,000 |

115 A reporting of the degree to which the performance targets
116 set above have been or are being achieved shall be provided in the
117 agency's budget request submitted to the Joint Legislative Budget
118 Committee for Fiscal Year 2022.

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

122 **SECTION 8.** Of the funds appropriated herein, Three Million
123 Five Hundred Fifty-five Thousand Seven Hundred Seventy-nine
124 Dollars (\$3,555,779.00) is provided for the cost of health

125 insurance for all full-time library staff members in each public
126 library in Mississippi.

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

135 **SECTION 10.** It is the intention of the Legislature that the
136 funds herein appropriated shall be expended in compliance with
137 Section 27-104-25, Mississippi Code of 1972, that no state agency
138 shall incur obligations or indebtedness in excess of their
139 appropriation and that the responsible officers, either personally
140 or upon their official bonds, shall be held responsible for
141 actions contrary to this provision.

142 **SECTION 11.** The money herein appropriated shall be paid by
143 the State Treasurer out of any money in the State Treasury to the
144 credit of the proper fund or funds as set forth in this act, upon
145 warrants issued by the State Fiscal Officer; and the State Fiscal
146 Officer shall issue his warrants upon requisitions signed by the
147 proper person, officer or officers, in the manner provided by law.

148 **SECTION 12.** This act shall take effect and be in force from
149 and after July 1, 2020, and shall stand repealed June 30, 2020.

SS05\HB1701A.J

Eugene S. Clarke
Secretary of the Senate