

By: Representatives Read, Bennett, Banks,
Barton, Boyd, Busby, Clark, Clarke, Criswell,
Currie, Eure, Haney, Jackson, Sanford,
Watson, Young

To: Appropriations

HOUSE BILL NO. 1390
(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 2022.

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, 2021, and ending June 30, 2022
11 \$ 9,514,331.00.

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, 2021, and ending June 30, 2022.....



19 \$ 2,987,562.00.

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 2023 do not
30 exceed Fiscal Year 2022 funds appropriated for that purpose unless
31 programs or positions are added to the agency's Fiscal Year 2022
32 budget by the Mississippi Legislature. Based on data provided by
33 the Legislative Budget Office, the State Personnel Board shall
34 determine and publish the projected annual cost to fully fund all
35 appropriated positions in compliance with the provisions of this
36 act. Absent a special situation or circumstance approved by the
37 State Personnel Board, or unless otherwise authorized by this act,
38 no state agency shall take any action to promote or otherwise
39 award salary increases through reallocation or realignment. If
40 the State Personnel Board determines a special situation or
41 circumstance exists and approves an action, then the agency and
42 the State Personnel Board shall provide a monthly report of each
43 action approved by the State Personnel Board to the chairmen of



44 the Accountability, Efficiency and Transparency Committees of the
45 Senate and House of Representatives and the chairmen of the
46 Appropriations Committees of the Senate and House of
47 Representatives. It shall be the responsibility of the agency
48 head to ensure that no single personnel action increases this
49 projected annual cost and/or the Fiscal Year 2022 appropriations
50 for "Personal Services" when annualized, with the exception of
51 escalated funds and the award of benchmarks. If, at the time the
52 agency takes any action to change "Personal Services," the State
53 Personnel Board determines that the agency has taken an action
54 which would cause the agency to exceed this projected annual cost
55 or the Fiscal Year 2022 "Personal Services" appropriated level,
56 when annualized, then only those actions which reduce the
57 projected annual cost and/or the appropriation requirement will be
58 processed by the State Personnel Board until such time as the
59 requirements of this provision are met.

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



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

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

77 Funds have been appropriated herein for the purpose of
78 implementation and funding Project SEC2 of the Colonel Guy Groff
79 State Variable Compensation Plan beginning January 1, 2022, and
80 ending June 30, 2022. It shall be the agency's responsibility to
81 make certain that each person, excluding executive directors,
82 agency heads, and elected judges, shall receive no more than a 3%
83 annual increase in salary which shall not exceed the market rate
84 established by the State Personnel Board pursuant to the Colonel
85 Guy Groff State Variable Compensation Plan for each
86 classification.

87 Funds to be distributed to eligible public library systems
88 under the Personnel Incentive Grants Program shall be paid
89 quarterly in advance on or before September 30, December 31, March
90 31 and June 30.

91 **SECTION 4.** It is the intention of the Legislature that the
92 Mississippi Library Commission shall maintain complete accounting
93 and personnel records related to the expenditure of all funds



94 appropriated under this act and that such records shall be in the
95 same format and level of detail as maintained for Fiscal Year
96 2021. It is further the intention of the Legislature that the
97 agency's budget request for Fiscal Year 2023 shall be submitted to
98 the Joint Legislative Budget Committee in a format and level of
99 detail comparable to the format and level of detail provided
100 during the Fiscal Year 2022 budget request process.

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

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

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Help desk tickets resolved (Number of)	1,350
Library Services	
Continuing education workshops held per	



119	year (Number of)	30
120	Increase of citizens informed by	
121	acquiring needed information through	
122	Mississippi libraries (%)	1.00
123	Library visits by commission staff	
124	(Number of)	175
125	Patrons utilizing Braille, Audio, etc	
126	(Number of)	3,500
127	Children participating in Statewide	
128	Summer Library program (Number of)	120,000
129	Items borrowed and loaned on the	
130	interlibrary loan system (Number of)	13,000
131	Items available for use statewide on the	
132	interlibrary loan system (Number of)	5,000,000
133	Searches on MAGNOLIA (Number of)	45,000,000
134	Items available for use at MLC (primary	
135	resource library) (Number of)	100,000

136 A reporting of the degree to which the performance targets
137 set above have been or are being achieved shall be provided in the
138 agency's budget request submitted to the Joint Legislative Budget
139 Committee for Fiscal Year 2023.

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



143 **SECTION 8.** Of the funds appropriated herein, Three Million
144 Eight Hundred Eighty-four Thousand Six Hundred Seventy-five
145 Dollars (\$3,884,675.00) is provided for the cost of health
146 insurance for all full-time library staff members in each public
147 library in Mississippi.

148 **SECTION 9.** It is the intention of the Legislature that
149 whenever two (2) or more bids are received by this agency for the
150 purchase of commodities or equipment, and whenever all things
151 stated in such received bids are equal with respect to price,
152 quality and service, the Mississippi Industries for the Blind
153 shall be given preference. A similar preference shall be given to
154 the Mississippi Industries for the Blind whenever purchases are
155 made without competitive bids.

156 **SECTION 10.** It is the intention of the Legislature that the
157 funds herein appropriated shall be expended in compliance with
158 Section 27-104-25, Mississippi Code of 1972, that no state agency
159 shall incur obligations or indebtedness in excess of their
160 appropriation and that the responsible officers, either personally
161 or upon their official bonds, shall be held responsible for
162 actions contrary to this provision.

163 **SECTION 11.** The money herein appropriated shall be paid by
164 the State Treasurer out of any money in the State Treasury to the
165 credit of the proper fund or funds as set forth in this act, upon
166 warrants issued by the State Fiscal Officer; and the State Fiscal



167 Officer shall issue his warrants upon requisitions signed by the
168 proper person, officer or officers, in the manner provided by law.

169 **SECTION 12.** This act shall take effect and be in force from
170 and after July 1, 2021.

