

## Senate Amendments to House Bill No. 1602

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, 2022, and ending June 30, 2023  
11 .....\$       9,746,666.00.

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, 2022, and ending June 30, 2023.....  
19 .....\$       2,789,465.00.

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 for Personal  
29 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds  
30 appropriated for that purpose unless programs or positions are  
31 added to the agency's Fiscal Year 2023 budget by the Mississippi  
32 Legislature. The Legislature shall determine the agency's  
33 personal services appropriation, which shall be published by the  
34 State Personnel Board. Additionally, the State Personnel Board  
35 shall determine and publish the projected annualized payroll costs  
36 based on current employees. It shall be the responsibility of the  
37 agency head to ensure that actual personnel expenditures for  
38 Fiscal Year 2023 do not exceed the data provided by the  
39 Legislative Budget Office. If the agency's Fiscal Year 2023  
40 projected cost exceeds the annualized costs, no salary actions  
41 shall be processed by the State Personnel Board with the exception  
42 of new hires that are determined to be essential for the agency.

43 Any transfers or escalations shall be made in accordance with  
44 the terms, conditions and procedures established by law or  
45 allowable under the terms set forth within this act. The State  
46 Personnel Board shall not escalate positions without written  
47 approval from the Department of Finance and Administration. The

Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

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

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

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

**SECTION 4.** It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds 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 2022. It is further the intention of the Legislature that the  
76 agency's budget request for Fiscal Year 2024 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 2023 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		FY2023
93	<u>Performance Measures</u>	<u>Target</u>
94	Administrative Services	
95	Number of Help Desk Tickets Resolved	1,350
96	Library Services	
97	Number of Continuing Education Workshops	
98	Held per Year	30
99	Percent Increase of Citizens Informed by	

100	Acquiring Needed Information Through	
101	Mississippi Libraries	1.00
102	Number of Library Visits by Commission Staff	175
103	Number of Patrons Utilizing Braille,	
104	Audio, Etc	4,000
105	Number of Children Participating in	
106	Statewide Summer Library Prg	120,000
107	Number of Items Borrowed & Loaned on the	
108	Interlibrary Loan System	13,000
109	Number of Items Available for Use	
110	Statewide on the Interlibrary Loan	
111	System	5,000,000
112	Number of Searches on MAGNOLIA	40,000,000
113	Number of Items Available for Use at MLC	
114	(Primary Resource Library)	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 2024.

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, Four Million  
 123 Seventy-eight Thousand Thirty-one Dollars (\$4,078,031.00) is  
 124 provided for the cost of health insurance for all full-time  
 125 library staff members in each public library in Mississippi.

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

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

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

147       **SECTION 12.** This act shall take effect and be in force from  
148 and after July 1, 2022, and shall stand repealed June 29, 2022.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL  
3 YEAR 2023.

SS15\HB1602A.J

Eugene S. Clarke  
Secretary of the Senate