

Senate Amendments to House Bill No. 1615

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, 2023, and ending June 30, 2024
11\$ 10,452,758.00.

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, 2023, and ending June 30, 2024.....
19\$ 3,100,948.00.

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

22 AUTHORIZED HEADCOUNT:

23 Permanent: 45

24 Time-Limited: 0

25 With the funds herein appropriated, it shall be the agency's
26 responsibility to make certain that funds required for Personal
27 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
28 appropriated for that purpose unless programs or positions are
29 added to the agency's Fiscal Year 2024 budget by the Mississippi
30 Legislature. The Legislature shall determine the agency's
31 personal services appropriation, which shall be published by the
32 State Personnel Board. Additionally, the State Personnel Board
33 shall determine and publish the projected annualized payroll costs
34 based on current employees. It shall be the responsibility of the
35 agency head to ensure that actual personnel expenditures for
36 Fiscal Year 2024 do not exceed the data provided by the
37 Legislative Budget Office. If the agency's Fiscal Year 2024
38 projected cost exceeds the annualized costs, no salary actions
39 shall be processed by the State Personnel Board with the exception
40 of new hires that are determined to be essential for the agency.

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

48 without proof of availability of new or additional funds above the
49 appropriated level.

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53 act and which are withdrawn and no longer available.

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

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

64 **SECTION 4.** Funds to be distributed to eligible public
65 library systems under the Personnel Incentive Grants Program shall
66 be paid quarterly in advance on or before September 30, December
67 31, March 31 and June 30.

68 **SECTION 5.** It is the intention of the Legislature that the
69 Mississippi Library Commission shall maintain complete accounting
70 and personnel records related to the expenditure of all funds
71 appropriated under this act and that such records shall be in the
72 same format and level of detail as maintained for Fiscal Year
73 2023. It is further the intention of the Legislature that the

74 agency's budget request for Fiscal Year 2025 shall be submitted to
 75 the Joint Legislative Budget Committee in a format and level of
 76 detail comparable to the format and level of detail provided
 77 during the Fiscal Year 2024 budget request process.

78 **SECTION 6.** Of the funds appropriated under the provisions of
 79 Section 2, Four Hundred Ninety-three Thousand Eight Hundred
 80 Forty-seven Dollars (\$493,847.00) shall be derived from the
 81 Education Enhancement Fund deposited pursuant to Sections 27-65-75
 82 and 27-67-31, Mississippi Code of 1972.

83 **SECTION 7.** In compliance with the "Mississippi Performance
 84 Budget and Strategic Planning Act of 1994," it is the intent of
 85 the Legislature that the funds provided herein shall be utilized
 86 in the most efficient and effective manner possible to achieve the
 87 intended mission of this agency. Based on the funding authorized,
 88 this agency shall make every effort to attain the targeted
 89 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Number of Help Desk Tickets Resolved	1,350
Library Services	
Number of Continuing Education Workshops	
Held per Year	40
Percent Increase of Citizens Informed by	
Acquiring Needed Information Through	
Mississippi Libraries	1.00

100	Number of Library Visits by Commission Staff	175
101	Number of Patrons Utilizing Braille,	
102	Audio, Etc	4,000
103	Number of Children Participating in	
104	Statewide Summer Library Prg	120,000
105	Number of Items Borrowed and Loaned on	
106	the Interlibrary Loan System	10,000
107	Number of Items Available for Use	
108	Statewide on the Interlibrary Loan	
109	System	5,000,000
110	Number of Searches on MAGNOLIA	35,000,000
111	Number of Items Available for Use at MLC	
112	(PPrimary Resource Library)	100,000

113 A reporting of the degree to which the performance targets
114 set above have been or are being achieved shall be provided in the
115 agency's budget request submitted to the Joint Legislative Budget
116 Committee for Fiscal Year 2025.

117 **SECTION 8.** It is the intention of the Legislature that no
118 less than One Million Three Hundred Fifty Thousand Dollars
119 (\$1,350,000.00) shall be expended for the Magnolia Database.

120 **SECTION 9.** Of the funds appropriated in Section 2, the
121 following sum, or so much thereof as may be necessary, are derived
122 from the Education Enhancement Fund pursuant to Sections 27-65-75
123 and 27-67-31, Mississippi Code of 1972, for MAGNOLIA.....
124\$ 350,000.00.

125 **SECTION 10.** Of the funds appropriated herein, Four Million
126 Three Hundred Seventy-five Thousand One Hundred Thirty-nine
127 Dollars (\$4,375,139.00) is provided for the cost of health
128 insurance for all full-time library staff members in each public
129 library in Mississippi.

130 **SECTION 11.** It is the intention of the Legislature that
131 whenever two (2) or more bids are received by this agency for the
132 purchase of commodities or equipment, and whenever all things
133 stated in such received bids are equal with respect to price,
134 quality and service, the Mississippi Industries for the Blind
135 shall be given preference. A similar preference shall be given to
136 the Mississippi Industries for the Blind whenever purchases are
137 made without competitive bids.

138 **SECTION 12.** It is the intention of the Legislature that the
139 funds herein appropriated shall be expended in compliance with
140 Section 27-104-25, Mississippi Code of 1972, that no state agency
141 shall incur obligations or indebtedness in excess of their
142 appropriation and that the responsible officers, either personally
143 or upon their official bonds, shall be held responsible for
144 actions contrary to this provision.

145 **SECTION 13.** The money herein appropriated shall be paid by
146 the State Treasurer out of any money in the State Treasury to the
147 credit of the proper fund or funds as set forth in this act, upon
148 warrants issued by the State Fiscal Officer; and the State Fiscal
149 Officer shall issue his warrants upon requisitions signed by the
150 proper person, officer or officers, in the manner provided by law.

151 **SECTION 14.** This act shall take effect and be in force from
152 and after July 1, 2023, and shall stand repealed June 29, 2023.

**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 2024.

SS15\HB1615A.J

Eugene S. Clarke
Secretary of the Senate