

By: Representatives Clarke, Dedeaux, Hudson, To: Appropriations
Bailey, Robinson (63rd)

HOUSE BILL NO. 1418

1 AN ACT TO AMEND SECTION 39-3-101, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT EFFECTIVE JULY 1, 2007, THE BOARD OF TRUSTEES OF THE
3 DEPARTMENT OF ARCHIVES AND HISTORY SHALL BE THE BOARD OF
4 COMMISSIONERS OF THE MISSISSIPPI LIBRARY COMMISSION; TO AMEND
5 SECTION 39-3-355, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
6 MISSISSIPPI LIBRARY COMMISSION TO REPORT TO THE LEGISLATURE BY
7 JANUARY 1, 2007, ON ITS DEVELOPMENT AND IMPLEMENTATION OF THE
8 PUBLIC LIBRARY ACCREDITATION SYSTEM THAT WAS MANDATED IN 1988; AND
9 FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 39-3-101, Mississippi Code of 1972, is
12 amended as follows:

13 **[Through June 30, 2007, this section shall read as follows:]**

14 39-3-101. There is hereby created a Board of Commissioners
15 of the Mississippi Library Commission to be composed of five (5)
16 members appointed by the Governor with overlapping terms, the
17 members of the first board to be appointed one (1) for one (1)
18 year, one (1) for two (2) years, one (1) for three (3) years, one
19 (1) for four (4) years, one (1) for five (5) years, and their
20 successors each to be appointed for five-year terms, each member
21 to serve until his successor is appointed. Two (2) members shall
22 be appointed by the Governor from the state at large. Two (2)
23 members shall be appointed by the Governor from a list of not less
24 than six (6) names submitted by the Mississippi Library
25 Association, one (1) of whom shall be a librarian who is a
26 graduate of a library school accredited by the American Library
27 Association and actively engaged in full-time library work at the
28 time of the appointment and one (1) of whom shall be, at time of
29 the appointment, a member of a legally organized board of trustees
30 of a Mississippi free public library; and one (1) member shall be

31 the President of the Mississippi Federation of Women's Clubs, or a
32 member of said federation recommended by her; and which federation
33 member shall, when appointed, serve a full term as herein provided
34 for members to serve under a staggered term basis, and the
35 successor to the federation member shall be the president of the
36 federation then serving, or a member of the federation recommended
37 by her, when the term of the federation member shall expire; and
38 after the appointment of a federation member to the board, and
39 when her term as a member thereof shall expire, each succeeding
40 member of the federation who becomes a member of the board shall
41 serve a full term under the provisions of this article. Vacancies
42 created by resignation shall be filled by appointment for the
43 unexpired term.

44 **[From and after July 1, 2007, this section shall read as**
45 **follows:]**

46 39-3-101. The Board of Trustees of the Department of
47 Archives and History created by Section 39-5-3 shall be the Board
48 of Commissioners of the Mississippi Library Commission. Any
49 reference to the Board of Commissioners of the Mississippi Library
50 Commission shall mean the Board of Trustees of the Department of
51 Archives and History. The Board of Trustees of the Department of
52 Archives and History shall have all powers necessary to oversee
53 and manage the Mississippi Library Commission that were formerly
54 vested in the Board of Commissioners of the Mississippi Library
55 Commission.

56 **SECTION 2.** Section 39-3-355, Mississippi Code of 1972, is
57 amended as follows:

58 **[Through June 30, 2007, this section shall read as follows:]**

59 39-3-355. (1) The Mississippi Library Commission shall be
60 responsible for developing a system of public service incentives
61 within a public library accreditation program on the
62 recommendation of a committee of qualified public library
63 professionals and trustees. The committee of fifteen (15) members

64 shall be appointed by the Mississippi Library Commission Board of
65 Commissioners as follows: seven (7) public library trustees with
66 at least one (1) from each congressional district; five (5)
67 professional public librarians, one (1) appointed by each
68 commissioner; and three (3) at-large members.

69 (2) The Legislature recognizes the paramount importance of
70 having an accreditation system for public libraries and for
71 allocating state funds to those libraries based on accreditation.
72 To this end, the Legislature finds that the Mississippi Library
73 Commission's lack of an accreditation system in 2005 represents
74 flagrant disregard for the legislation requiring the development
75 of such a system that was enacted in 1988.

76 (3) On or before January 1, 2007, the Mississippi Library
77 Commission shall report to the Legislature on its implementation
78 of the public library accreditation system that it has developed
79 and implemented.

80 **[From and after July 1, 2007, this section shall read as**
81 **follows:]**

82 39-3-355. The Mississippi Library Commission shall be
83 responsible for developing a system of public service incentives
84 within a public library accreditation program on the
85 recommendation of a committee of qualified public library
86 professionals and trustees. The committee of fifteen (15) members
87 shall be appointed by the Mississippi Library Commission Board of
88 Commissioners as follows: seven (7) public library trustees with
89 at least one (1) from each congressional district; five (5)
90 professional public librarians, one (1) appointed by each
91 commissioner; and three (3) at-large members.

92 The commission shall have the authority to revise the public
93 library accreditation system from time to time as it deems
94 appropriate.

95 **SECTION 3.** This act shall take effect and be in force from
96 and after July 1, 2006.