

By: Representatives Brown, Broomfield,  
Dickson, Hudson, Markham, Peranich,  
Straughter, Warren, Weathersby

To: Appropriations

HOUSE BILL NO. 1561  
(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 2007.

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 hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the support and  
8 maintenance of the Mississippi Library Commission and for carrying  
9 out the provisions of Section 39-3-107, Mississippi Code of 1972,  
10 for the fiscal year beginning July 1, 2006, and ending  
11 June 30, 2007..... \$ 11,246,733.00.

12 **SECTION 2.** The following sum, or so much thereof as may be  
13 necessary, is hereby appropriated out of any money in the special  
14 fund in the State Treasury to the credit of the Mississippi  
15 Library Commission which is comprised of special source funds  
16 collected by or otherwise available to the commission, for the  
17 purpose of defraying the expenses of the commission for the fiscal  
18 year beginning July 1, 2006, and ending June 30, 2007.....  
19 ..... \$ 4,033,058.00.

20 **SECTION 3.** Of the funds appropriated under the provisions of  
21 Section 1 and Section 2, not more than the amounts set forth below  
22 shall be expended for the respective major objects or purposes of  
23 expenditure:

24 MAJOR OBJECTS OF EXPENDITURE:

25 Personal Services:

26 Salaries, Wages and Fringe Benefits.. \$ 2,274,532.00  
27 Travel and Subsistence..... 25,000.00

28	Contractual Services.....	904,281.00
29	Commodities.....	140,000.00
30	Capital Outlay:	
31	Other Than Equipment.....	0.00
32	Equipment.....	15,000.00
33	Subsidies, Loans and Grants.....	<u>11,920,978.00</u>
34	Total.....	\$ 15,279,791.00

35 FUNDING:

36	General Funds.....	\$ 11,246,733.00
37	Special Funds.....	<u>4,033,058.00</u>
38	Total.....	\$ 15,279,791.00

39 AUTHORIZED POSITIONS:

40	Permanent: Full Time.....	52
41	Part Time.....	0
42	Time-Limited: Full Time.....	0
43	Part Time.....	0

44 Funds are provided herein to adjust the Variable Compensation  
45 Plan to ensure that all full-time employees receive a pay increase  
46 equal to the realignment component of the Variable Compensation  
47 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
48 with not more than one-half (1/2) to be awarded on July 1, 2006,  
49 with the remainder to be awarded on January 1, 2007.

50 With the funds herein appropriated, it is the intention of  
51 the Legislature that it shall be the agency's responsibility to  
52 make certain that funds required to be appropriated for "Personal  
53 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
54 funds appropriated for that purpose, unless programs or positions  
55 are added to the agency's Fiscal Year 2008 budget by the  
56 Mississippi Legislature. Based on data provided by the  
57 Legislative Budget Office, the State Personnel Board shall  
58 determine and publish the projected annual cost to fully fund all  
59 appropriated positions in compliance with the provisions of this  
60 act. It shall be the responsibility of the agency head to insure

61 that no single personnel action increases this projected annual  
62 cost and/or the Fiscal Year 2007 appropriation for "Personal  
63 Services" when annualized, with the exception of escalated funds.  
64 If, at the time the agency takes any action to change "Personal  
65 Services," the State Personnel Board determines that the agency  
66 has taken an action which would cause the agency to exceed this  
67 projected annual cost or the Fiscal Year 2007 "Personal Services"  
68 appropriated level, when annualized, then only those actions which  
69 reduce the projected annual cost and/or the appropriation  
70 requirement will be processed by the State Personnel Board until  
71 such time as the requirements of this provision are met.

72 Any transfers or escalations shall be made in accordance with  
73 the terms, conditions and procedures established by law or  
74 allowable under the terms set forth within this act. The State  
75 Personnel Board shall not escalate positions without written  
76 approval from the Department of Finance and Administration. The  
77 Department of Finance and Administration shall not provide written  
78 approval to escalate any funds for salaries and/or positions  
79 without proof of availability of new or additional funds above the  
80 appropriated level.

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

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

89 **SECTION 4.** It is the intention of the Legislature that the  
90 Mississippi Library Commission shall maintain complete accounting  
91 and personnel records related to the expenditure of all funds  
92 appropriated under this act and that such records shall be in the  
93 same format and level of detail as maintained for Fiscal Year

94 2006. It is further the intention of the Legislature that the  
 95 agency's budget request for Fiscal Year 2008 shall be submitted to  
 96 the Joint Legislative Budget Committee in a format and level of  
 97 detail comparable to the format and level of detail provided  
 98 during the Fiscal Year 2007 budget request process.

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

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

	FY2007
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Average Cost of Administering per Grant (\$)	200
Executive Director's Office	
Public Libraries Visited (Actions)	50
Library Aid	
Grants Provided (Grants)	250
MAGNOLIA Database searches (Queries)	2,000,000
Network Services	
Cost per hour for technical consulting (\$)	40
Public Services	
Attendees satisfaction rating of Continuing	
Education Program (% of Approval)	95
A reporting of the degree to which the performance targets	
set above have been or are being achieved shall be provided in the	

127 agency's budget request submitted to the Joint Legislative Budget  
128 Committee for Fiscal Year 2008.

129         **SECTION 7.** It is the intention of the Legislature that the  
130 Mississippi Library Commission shall have the authority to  
131 escalate its budget and expend funds from any source not to exceed  
132 Three Million Dollars (\$3,000,000.00) in accordance with rules and  
133 regulations of the Department of Finance and Administration in a  
134 manner consistent with the escalation of federal funds.

135         **SECTION 8.** Of the funds appropriated herein, not less than  
136 One Million One Hundred Eighty-six Thousand Three Hundred Forty  
137 Dollars (\$1,186,340.00) shall be expended for the Magnolia  
138 Database.

139         **SECTION 9.** It is the intention of the Legislature that the  
140 Executive Director of the Mississippi Library Commission may  
141 increase major objects of expenditure in total amounts not to  
142 exceed twenty-five percent (25%) of the appropriated amount of  
143 each major object of expenditure, provided that other major  
144 objects of expenditure are decreased by a corresponding dollar  
145 amount and provided the Executive Director of the Mississippi  
146 Department of Finance and Administration also approves with  
147 written authorization. However, no transfers shall be authorized  
148 which increase the major object of expenditure "Salaries, Wages  
149 and Fringe Benefits."

150         **SECTION 10.** Of the funds appropriated herein, Three Million  
151 Two Hundred Eighty-six Thousand Nine Hundred Forty-four Dollars  
152 (\$3,286,944.00) is provided for the cost of health insurance for  
153 all full-time library staff members in each public library in  
154 Mississippi.

155         **SECTION 11.** It is the intention of the Legislature that  
156 whenever two (2) or more bids are received by this agency for the  
157 purchase of commodities or equipment, and whenever all things  
158 stated in such received bids are equal with respect to price,  
159 quality and service, the Mississippi Industries for the Blind

160 shall be given preference. A similar preference shall be given to  
161 the Mississippi Industries for the Blind whenever purchases are  
162 made without competitive bids.

163         **SECTION 12.** Of the funds appropriated under the provisions  
164 of Section 2, Six Hundred Thousand Dollars (\$600,000.00) shall be  
165 derived from the Budget Contingency Fund created in Section  
166 27-103-301, Mississippi Code of 1972, for the purpose of defraying  
167 the expenses of the Mississippi Library Commission.

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

174         **SECTION 14.** This act shall take effect and be in force from  
175 and after July 1, 2006.