

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

To: Appropriations

HOUSE BILL NO. 1688  
(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 2008.

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, 2007, and ending  
11 June 30, 2008..... \$ 13,072,288.00.

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, 2007, and ending June 30, 2008.....  
19 ..... \$ 2,696,443.00.

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.. \$ 2,508,203.00  
27 Travel and Subsistence..... 25,000.00

28	Contractual Services.....	967,680.00
29	Commodities.....	197,695.00
30	Capital Outlay:	
31	Other Than Equipment.....	0.00
32	Equipment.....	21,500.00
33	Vehicles.....	0.00
34	Wireless Communication Devices.....	0.00
35	Subsidies, Loans and Grants.....	<u>12,048,653.00</u>
36	Total..... \$	15,768,731.00

37 FUNDING:

38	General Funds..... \$	13,072,288.00
39	Special Funds.....	<u>2,696,443.00</u>
40	Total..... \$	15,768,731.00

41 AUTHORIZED POSITIONS:

42	Permanent: Full Time.....	52
43	Part Time.....	0
44	Time-Limited: Full Time.....	0
45	Part Time.....	0

46 Funds are provided herein to adjust the Variable Compensation  
47 Plan to ensure that all full-time employees receive a pay increase  
48 equal to the realignment component of the Variable Compensation  
49 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
50 is greater, to be awarded on July 1, 2007.

51 With the funds herein appropriated, it is the intention of  
52 the Legislature that it shall be the agency's responsibility to  
53 make certain that funds required to be appropriated for "Personal  
54 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
55 funds appropriated for that purpose, unless programs or positions  
56 are added to the agency's Fiscal Year 2008 budget by the  
57 Mississippi Legislature. Based on data provided by the  
58 Legislative Budget Office, the State Personnel Board shall  
59 determine and publish the projected annual cost to fully fund all  
60 appropriated positions in compliance with the provisions of this

61 act. It shall be the responsibility of the agency head to insure  
62 that no single personnel action increases this projected annual  
63 cost and/or the Fiscal Year 2008 appropriations for "Personal  
64 Services" when annualized, with the exception of escalated funds  
65 and educational benchmarks. If, at the time the agency takes any  
66 action to change "Personal Services", the State Personnel Board  
67 determines that the agency has taken an action which would cause  
68 the agency to exceed this projected annual cost or the Fiscal Year  
69 2008 "Personal Services" appropriated level, when annualized, then  
70 only those actions which reduce the projected annual cost and/or  
71 the appropriation requirement will be processed by the State  
72 Personnel Board until such time as the requirements of this  
73 provision are met. On January 1, 2008, the State Personnel Board  
74 will make adjustments to the structure side of the compliance  
75 report based on data provided by the Legislative Budget Office in  
76 order for agencies to award educational benchmarks.

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

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

90 Funds to be distributed to eligible public library systems  
91 under the Personnel Incentive Grants Program shall be paid  
92 quarterly in advance on or before September 30, December 31, March  
93 31 and June 30.

94           **SECTION 4.** It is the intention of the Legislature that the  
 95 Mississippi Library Commission shall maintain complete accounting  
 96 and personnel records related to the expenditure of all funds  
 97 appropriated under this act and that such records shall be in the  
 98 same format and level of detail as maintained for Fiscal Year  
 99 2007. It is further the intention of the Legislature that the  
 100 agency's budget request for Fiscal Year 2009 shall be submitted to  
 101 the Joint Legislative Budget Committee in a format and level of  
 102 detail comparable to the format and level of detail provided  
 103 during the Fiscal Year 2008 budget request process.

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

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

	FY2008
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Average Cost of Administering per Grant (\$)	250
Executive Director's Office	
Public Libraries Visited (Actions)	50
Library Aid	
Grants Provided (Grants)	250
MAGNOLIA Database searches (Queries)	6,300,000
Network Services	
Cost per hour for technical consulting (\$)	45

127 Public Services

128 Attendees satisfaction rating of Continuing

129 Education Program (% of Approval) 96

130 A reporting of the degree to which the performance targets  
131 set above have been or are being achieved shall be provided in the  
132 agency's budget request submitted to the Joint Legislative Budget  
133 Committee for Fiscal Year 2009.

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

140 **SECTION 8.** Of the funds appropriated herein, not less than  
141 One Million Three Hundred Four Thousand Nine Hundred Seventy-four  
142 Dollars (\$1,304,974.00) shall be expended for the Magnolia  
143 Database.

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

155 **SECTION 10.** Of the funds appropriated herein, Three Million  
156 Four Hundred Forty-eight Thousand Five Hundred Twelve Dollars  
157 (\$3,448,512.00) is provided for the cost of health insurance for  
158 all full-time library staff members in each public library in  
159 Mississippi.

160           **SECTION 11.** It is the intention of the Legislature that  
161 whenever two (2) or more bids are received by this agency for the  
162 purchase of commodities or equipment, and whenever all things  
163 stated in such received bids are equal with respect to price,  
164 quality and service, the Mississippi Industries for the Blind  
165 shall be given preference. A similar preference shall be given to  
166 the Mississippi Industries for the Blind whenever purchases are  
167 made without competitive bids.

168           **SECTION 12.** 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 13.** This act shall take effect and be in force from  
175 and after July 1, 2007.