

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1390

BY: Committee

**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, 2021, and ending June 30, 2022
11 \$ 8,881,501.00.

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, 2021, and ending June 30, 2022.....
19 \$ 2,977,641.00.

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	47
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 to be
29 appropriated for "Personal Services" for Fiscal Year 2023 do not
30 exceed Fiscal Year 2022 funds appropriated for that purpose unless
31 programs or positions are added to the agency's Fiscal Year 2022
32 budget by the Mississippi Legislature. Based on data provided by
33 the Legislative Budget Office, the State Personnel Board shall
34 determine and publish the projected annual cost to fully fund all
35 appropriated positions in compliance with the provisions of this
36 act. Absent a special situation or circumstance approved by the
37 State Personnel Board, or unless otherwise authorized by this act,
38 no state agency shall take any action to promote or otherwise
39 award salary increases through reallocation or realignment. If



40 the State Personnel Board determines a special situation or
41 circumstance exists and approves an action, then the agency and
42 the State Personnel Board shall provide a monthly report of each
43 action approved by the State Personnel Board to the chairmen of
44 the Accountability, Efficiency and Transparency Committees of the
45 Senate and House of Representatives and the chairmen of the
46 Appropriations Committees of the Senate and House of
47 Representatives. It shall be the responsibility of the agency
48 head to ensure that no single personnel action increases this
49 projected annual cost and/or the Fiscal Year 2022 appropriations
50 for "Personal Services" when annualized, with the exception of
51 escalated funds and the award of benchmarks. If, at the time the
52 agency takes any action to change "Personal Services," the State
53 Personnel Board determines that the agency has taken an action
54 which would cause the agency to exceed this projected annual cost
55 or the Fiscal Year 2022 "Personal Services" appropriated level,
56 when annualized, then only those actions which reduce the
57 projected annual cost and/or the appropriation requirement will be
58 processed by the State Personnel Board until such time as the
59 requirements of this provision are met.

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



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

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

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

77 Funds to be distributed to eligible public library systems
78 under the Personnel Incentive Grants Program shall be paid
79 quarterly in advance on or before September 30, December 31, March
80 31 and June 30.

81 **SECTION 4.** It is the intention of the Legislature that the
82 Mississippi Library Commission shall maintain complete accounting
83 and personnel records related to the expenditure of all funds
84 appropriated under this act and that such records shall be in the
85 same format and level of detail as maintained for Fiscal Year
86 2021. It is further the intention of the Legislature that the
87 agency's budget request for Fiscal Year 2023 shall be submitted to
88 the Joint Legislative Budget Committee in a format and level of



89 detail comparable to the format and level of detail provided
90 during the Fiscal Year 2022 budget request process.

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

96 **SECTION 6.** In compliance with the "Mississippi Performance
97 Budget and Strategic Planning Act of 1994," it is the intent of
98 the Legislature that the funds provided herein shall be utilized
99 in the most efficient and effective manner possible to achieve the
100 intended mission of this agency. Based on the funding authorized,
101 this agency shall make every effort to attain the targeted
102 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Help desk tickets resolved (Number of)	1,350
Library Services	
Continuing education workshops held per	
year (Number of)	30
Increase of citizens informed by	
acquiring needed information through	
Mississippi libraries (%)	1.00
Library visits by commission staff	



114	(Number of)	175
115	Patrons utilizing Braille, Audio, etc	
116	(Number of)	3,500
117	Children participating in Statewide	
118	Summer Library program (Number of)	120,000
119	Items borrowed and loaned on the	
120	interlibrary loan system (Number of)	13,000
121	Items available for use statewide on the	
122	interlibrary loan system (Number of)	5,000,000
123	Searches on MAGNOLIA (Number of)	45,000,000
124	Items available for use at MLC (primary	
125	resource library) (Number of)	100,000

126 A reporting of the degree to which the performance targets
127 set above have been or are being achieved shall be provided in the
128 agency's budget request submitted to the Joint Legislative Budget
129 Committee for Fiscal Year 2023.

130 **SECTION 7.** It is the intention of the Legislature that no
131 less than One Million Dollars (\$1,000,000.00) shall be expended
132 for the Magnolia Database.

133 **SECTION 8.** Of the funds appropriated herein, Three Million
134 Six Hundred Sixty-one Thousand One Hundred Fifteen Dollars
135 (\$3,661,115.00) is provided for the cost of health insurance for
136 all full-time library staff members in each public library in
137 Mississippi.



138 **SECTION 9.** It is the intention of the Legislature that
139 whenever two (2) or more bids are received by this agency for the
140 purchase of commodities or equipment, and whenever all things
141 stated in such received bids are equal with respect to price,
142 quality and service, the Mississippi Industries for the Blind
143 shall be given preference. A similar preference shall be given to
144 the Mississippi Industries for the Blind whenever purchases are
145 made without competitive bids.

146 **SECTION 10.** It is the intention of the Legislature that the
147 funds herein appropriated shall be expended in compliance with
148 Section 27-104-25, Mississippi Code of 1972, that no state agency
149 shall incur obligations or indebtedness in excess of their
150 appropriation and that the responsible officers, either personally
151 or upon their official bonds, shall be held responsible for
152 actions contrary to this provision.

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

159 **SECTION 12.** This act shall take effect and be in force from
160 and after July 1, 2021, and shall stand repealed June 29, 2021.

**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 2022.

