

By: Representative Endt

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 220
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-9-119, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE STATE PERSONNEL BOARD TO PROVIDE COPIES OF PROPOSED
3 RULES AND RULE CHANGES DIRECTLY TO THE CHAIRMEN OF CERTAIN HOUSE
4 AND SENATE COMMITTEES, THE LIEUTENANT GOVERNOR AND THE GOVERNOR;
5 AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 25-9-119, Mississippi Code of 1972, is
8 amended as follows:

9 25-9-119. (1) There is * * * created the position of the
10 State Personnel Director who shall be selected by the State
11 Personnel Board, with the advice and consent of the Senate. The
12 director shall have at least a master's degree in business
13 administration, personnel management or the equivalent and shall
14 have not less than five (5) years' experience therein. His salary
15 shall be in accordance with the Mississippi Compensation Plan.
16 The State Personnel Director shall serve at the will and pleasure
17 of the State Personnel Board.

18 (2) The duties and responsibilities of the director shall
19 be:

20 (a) To serve as executive secretary to the board, to
21 attend meetings as directed by the board and to provide such
22 professional, technical and other supportive assistance as may be
23 required by the board in the performance of its duties;

24 (b) Consistent with board policy, to administer the
25 operations of the State Personnel System and to otherwise act in
26 the capacity of chief executive officer to the State Personnel
27 Board;

28 (c) To submit for board approval proposed rules and
29 regulations which shall require a uniform system of personnel
30 administration within all agencies included in this chapter. Such
31 rules and regulations, when approved by the board, shall be
32 binding upon the state departments, agencies and institutions
33 covered by this chapter and shall include provisions for the
34 establishment and maintenance of classification and compensation
35 plans, the conduct of examinations, employee recruiting, employee
36 selection, the certification of eligible persons, appointments,
37 promotions, transfers, demotions, separations, reinstatement,
38 appeals, reports of performance, payroll certification, employee
39 training, vacation and sick leave, compensatory leave,
40 administrative leave, standardized record keeping forms and
41 procedures for leave earned, accrued and used, and all other
42 phases of personnel administration. Such rules and regulations
43 shall not be applicable to the emergency hiring of employees by
44 the Public Employees' Retirement System pursuant to Section
45 25-11-15(7). Copies of the rules and regulations, or
46 modifications thereto, as are approved by the State Personnel
47 Board, shall be provided to the Chairmen of the Fees, Salaries and
48 Administration Committee of the Senate and the Fees and Salaries
49 of Public Officers Committee of the House of Representatives, the
50 Lieutenant Governor and the Governor at least sixty (60) days
51 before their effective date. * * * The respective parties may
52 submit comments to the board regarding such rules and regulations
53 before their effective date;

54 (i) Compensation plans and modifications thereto
55 promulgated under rules and regulations shall become effective as
56 adopted, upon appropriation therefor by the State Legislature;

57 (ii) The director and the board shall provide for:

58 (A) Cost-of-living adjustments;

59 (B) Salary increases for outstanding

60 performance based upon documented employee productivity and

61 exceptional performance in assigned duties; and

62 (C) Plans to compensate employees for
63 suggestions which result in improved management in technical or
64 administrative procedures and result in documented cost savings
65 for the state. In certifying promotions, the director shall
66 ensure that an employee's anniversary date remains the same
67 regardless of the date of his promotion;

68 (d) To submit to the board any proposed legislation as
69 may be necessary to bring existing statutes relating to the
70 administration of public employees into uniformity;

71 (e) To administer the rules and regulations and all
72 other operational aspects of the State Personnel System and to
73 assure compliance therewith in all the departments, agencies and
74 institutions covered by the State Personnel System;

75 (f) To appoint and prescribe the duties of the State
76 Personnel System staff, all positions of which shall be included
77 in the state service;

78 (g) To prepare an annual budget for the board covering
79 all the costs of operating the State Personnel System, including
80 the State Personnel Board, and the costs of administering such
81 federal laws relating to personnel administration as the board may
82 direct, including the Intergovernmental Personnel Act of 1970;

83 (h) To assist state agencies, departments and
84 institutions in complying with all applicable state and federal
85 statutes and regulations concerning discrimination in employment,
86 personnel administration and related matters;

87 (i) To recommend procedures for the establishment and
88 abolishment of employment positions within those departments,
89 agencies and institutions not excluded from this chapter; and

90 (j) To cooperate with appointing authorities in the
91 administration of this chapter in order to promote public service
92 and establish conditions of service which will attract and retain
93 employees of character and capacity and to increase efficiency and

94 economy in governmental departments by the improvement of methods
95 of personnel administration with full recognition of the
96 requirements and needs of management.

97 SECTION 2. This act shall take effect and be in force from
98 and after July 1, 1999.