

**\*\*\*Pending\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 2479**

**By Representative(s) Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

12 SECTION 1. Section 37-3-9, Mississippi Code of 1972, is  
13 amended as follows:

14 37-3-9. (1) \* \* \* From and after July 1, 1984, there shall  
15 be a State Superintendent of Public Education who shall be  
16 appointed by the State Board of Education, with the advice and  
17 consent of the Senate, and serve at the board's will and pleasure.  
18 He shall be the chief administrative officer for the State  
19 Department of Education and shall administer the department in  
20 accordance with the policies established by the State Board of  
21 Education. He shall receive such compensation in the amount  
22 prescribed by the State Board of Education, but not to exceed the  
23 salary of the Commissioner of Higher Education. The State  
24 Superintendent of Public Education shall have at least a master's  
25 degree in any field and a minimum of five (5) years' experience in  
26 administration in the educational field.

27 (2) The state superintendent shall give bond in the penalty  
28 of Seventy-five Thousand Dollars (\$75,000.00), with sureties to be  
29 approved by the Governor, conditioned according to law. Said bond  
30 when approved shall be filed and recorded in the office of the  
31 Secretary of State.

32 SECTION 2. Section 25-3-35, Mississippi Code of 1972, is

33 amended as follows:

34 25-3-35. (1) The annual salaries of the following judges  
35 are fixed as follows, to begin at the commencement of the next  
36 term of office immediately succeeding the existing term:

- 37 Chief Justice of the Supreme Court..... \$104,900.00
- 38 Presiding Justice of the Supreme Court..... 102,900.00
- 39 Associate Justices of the Supreme Court, each..... 102,300.00

40 However, in addition to their present official duties, there  
41 are imposed upon the Supreme Court Justices the extra duties of  
42 making a special study of existing laws and reporting to each  
43 regular session of the Legislature such constructive suggestions  
44 as they may deem necessary for the improvement of the  
45 administration of justice, and of advising and counseling with the  
46 State Librarian in the selection of law books for purchase and use  
47 in the State Law Library, advising with the librarian thereof upon  
48 the removal from the library of any books which may be the least  
49 frequently used, and for the placing of same in a convenient  
50 location so as to provide additional space for such books and  
51 other current publications which may be more frequently used or  
52 called for. For such extra services each justice, from and after  
53 the effective date of Senate Bill No. 2479, 1999 Regular Session,  
54 shall receive a sum sufficient when added to the present salaries  
55 of the justices to aggregate One Hundred Four Thousand Nine  
56 Hundred Dollars (\$104,900.00) for the Chief Justice, One Hundred  
57 Two Thousand Nine Hundred Dollars (\$102,900.00) for the Presiding  
58 Justice, and One Hundred Two Thousand Three Hundred Dollars  
59 (\$102,300.00) for Associate Justices, per annum. As each existing  
60 term expires and the above-captioned salaries become effective in  
61 due course, the extra duties and compensation provided for shall  
62 cease.

63 (2) The annual salaries of the judges of the Court of  
64 Appeals of Mississippi are fixed as follows:

65 Chief Judge of the Court of Appeals..... \$ 98,300.00

66 Associate Judges of the Court of Appeals, each..... 95,500.00

67 (3) The annual salaries of the chancery and circuit court  
68 judges are fixed as follows:

69 Chancery Judges, each..... \$ 92,700.00

70 Circuit Judges, each..... 92,700.00

71 In addition to their present official duties, there are  
72 imposed upon the chancery and circuit court judges the extra  
73 duties of making a special study of existing laws relating to  
74 trial courts and reporting to the Supreme Court of the State of  
75 Mississippi such constructive suggestions as they may deem  
76 necessary for the improvement of the administration of justice,  
77 which shall be recommended to the Legislature by the Supreme Court  
78 in the manner provided by law. The judges shall advise and  
79 supervise in the purchase of law books for the libraries of each  
80 district, and shall study and evaluate the inventory of books and  
81 facilities now existing in the libraries of each district to  
82 effect the removal and relocation of obsolete publications so as  
83 to provide additional space for those books and current  
84 publications more frequently used. The judges shall study the  
85 existing rules promulgated by the circuit and chancery court  
86 judicial associations governing the operation of chancery and  
87 circuit courts, and revise the same pursuant to existing laws.  
88 For such extra services each judge, from and after the effective  
89 date of Senate Bill No. 2479, 1999 Regular Session, shall receive  
90 a sum sufficient when added to the present salaries of the judges  
91 to aggregate Ninety-two Thousand Seven Hundred Dollars  
92 (\$92,700.00) per annum for each judge. Upon the expiration of the  
93 existing term, the above-captioned salaries become effective in  
94 due course, and the extra duties and compensation provided for  
95 shall cease.

96 (4) The Supreme Court shall prepare a payroll for chancery

97 judges and circuit judges and submit such payroll to the  
98 Department of Finance and Administration.

99 (5) The annual salary of the full-time district attorneys  
100 shall be ninety percent (90%) of the annual salary of a judge of  
101 the circuit court.

102 (6) The annual salary of the full-time legal assistants  
103 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor  
104 more than Sixty-seven Thousand Five Hundred Dollars (\$67,500.00),  
105 as established by the district attorney.

106 SECTION 3. Section 25-31-10, Mississippi Code of 1972, is  
107 amended as follows:

108 25-31-10. (1) Any district attorney may appoint a full-time  
109 criminal investigator.

110 (2) The district attorneys of the Third, Fifth, Ninth,  
111 Tenth, Eleventh, Twelfth, Fifteenth, Sixteenth, Seventeenth and  
112 Twentieth Circuit Court Districts may appoint one (1) additional  
113 full-time criminal investigator for a total of two (2) full-time  
114 criminal investigators.

115 (3) The district attorneys of the First, Second, Fourth and  
116 Seventh and Nineteenth Circuit Court Districts may appoint two (2)  
117 additional full-time criminal investigators for a total of three  
118 (3) full-time criminal investigators.

119 (4) No district attorney or assistant district attorney  
120 shall accept any private employment, civil or criminal, in any  
121 matter investigated by such criminal investigators.

122 (5) The full and complete compensation for all public duties  
123 rendered by said criminal investigators shall be not \* \* \* more  
124 than Forty Thousand Dollars (\$40,000.00) per annum, to be  
125 determined at the discretion of the district attorney based upon  
126 the qualifications, education and experience of the criminal  
127 investigator, plus necessary travel and other expenses, to be paid  
128 in accordance with Section 25-31-8. Provided, however, the

129 maximum salary under this subsection for a criminal investigator  
130 who has a law degree may be supplemented by the district attorney  
131 from other available funds, but not to exceed the maximum salary  
132 for a legal assistant to a district attorney.

133 (6) Any criminal investigator may be designated by the  
134 district attorney to attend the Law Enforcement Officers Training  
135 Program set forth in Section 45-6-1 et seq., Mississippi Code of  
136 1972. The total expenses associated with attendance by criminal  
137 investigators at the Law Enforcement Officers Training Program  
138 shall be paid out of the funds of the appropriate district  
139 attorney.

140 SECTION 4. The Attorney General of the State of Mississippi  
141 is directed to submit Sections 2 of this act, immediately upon  
142 approval by the Governor, or upon approval by the Legislature  
143 subsequent to a veto, to the Attorney General of the United States  
144 or to the United States District Court for the District of  
145 Columbia in accordance with the provisions of the Voting Rights  
146 Act of 1965, as amended and extended.

147 SECTION 5. Sections 1 and 3 of this act shall take effect  
148 and be in force from and after July 1, 1999. Section 2 of this  
149 act shall take effect and be in force from and after July 1, 1999,  
150 if it is effectuated on or before that date under Section 5 of the  
151 Voting Rights Act of 1965, as amended and extended. If Section 2  
152 is effectuated under Section 5 of the Voting Rights Act of 1965,  
153 as amended and extended, after July 1, 1999, Section 2 shall take  
154 effect and be in force from and after the date it is effectuated  
155 under Section 5 of the Voting Rights Act of 1965, as amended and  
156 extended.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION SHALL RECEIVE  
3 AN ANNUAL SALARY PRESCRIBED BY THE STATE BOARD OF EDUCATION, BUT  
4 NOT TO EXCEED THE SALARY OF THE COMMISSIONER OF HIGHER LEARNING;

**99\HR05\SB2479A.1J \*HR05/SB2479A.1J\***

5 TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO INCREASE  
6 THE SALARIES OF THE ELECTED JUDICIARY, SET THE SALARY OF THE FULL-  
7 TIME DISTRICT ATTORNEYS AT NINETY PERCENT OF THE ANNUAL SALARY OF  
8 A CIRCUIT COURT JUDGE; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE  
9 OF 1972, TO INCREASE THE COMPENSATION OF CRIMINAL INVESTIGATORS  
10 EMPLOYED BY DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.