

By: Ford

To: Fees and Salaries of  
Public OfficersHOUSE BILL NO. 1389  
(As Passed the House)

1 AN ACT TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO  
2 EXEMPT THE SALARIES OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
3 ECONOMIC AND COMMUNITY DEVELOPMENT AND THE GOVERNOR'S CHIEF OF  
4 STAFF FROM THE CEILING ESTABLISHED FOR PUBLIC OFFICIALS' SALARIES,  
5 TO REQUIRE THE GOVERNOR TO FIX THE SALARIES OF SUCH PERSONS AND TO  
6 PROHIBIT SUCH SALARIES FROM BEING SUPPLEMENTED WITH PRIVATE FUNDS;  
7 AND FOR RELATED PURPOSES.

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

9 SECTION 1. Section 25-3-39, Mississippi Code of 1972, is  
10 amended as follows:[BD1]

11 25-3-39. (1) No public officer, public employee,  
12 administrator, or executive head of any arm or agency of the  
13 state, in the executive branch of government, shall be paid a  
14 salary or compensation, directly or indirectly, in excess of the  
15 salary fixed in Section 25-3-31 for the Governor. All academic  
16 officials, members of the teaching staffs and employees of the  
17 state institutions of higher learning, the State Board for  
18 Community and Junior Colleges, and community and junior colleges,  
19 and licensed physicians who are public employees, shall be exempt  
20 from this subsection. In addition, the Executive Director of the  
21 Department of Economic and Community Development and the Chief of  
22 Staff of the Governor's Office shall be exempt from this  
23 subsection. The Governor shall fix the annual salary of the  
24 Executive Director of the Department of Economic and Community  
25 Development and the annual salary of the Chief of Staff of the  
26 Governor's Office, which salaries shall be completely paid by the  
27 state and may not be supplemented with any funds from any source,  
28 including federal or private funds.

29           (2) No public officer, employee or administrator shall be  
30 paid a salary or compensation, directly or indirectly, in excess  
31 of the salary of the executive head of the state agency or  
32 department in which he is employed. The State Personnel Board,  
33 based upon its findings of fact, may exempt physicians and  
34 actuaries from this subsection when the acquisition of such  
35 professional services is precluded based on the prevailing wage in  
36 the relevant labor market.

37           SECTION 2. This act shall take effect and be in force from  
38 and after January 11, 2000.