

By: Ford

To: Fees and Salaries of
Public OfficersHOUSE BILL NO. 1389
(As Sent to Governor)

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. Provided, however, that the

29 salary of the Executive Director of the Department of Economic and
30 Community Development and the Governor's Chief of Staff shall not
31 be greater than fifty percent (50%) in excess of the salary of the
32 Governor.

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

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