HOUSE BILL NO. 1395

AN ACT TO AMEND SECTION 5-1-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INCREASE IN COMPENSATION OF SENATORS AND REPRESENTATIVES SHALL NOT TAKE EFFECT UNTIL THE TERM FOLLOWING THE NEXT ELECTION FOR SENATORS AND REPRESENTATIVES; TO AMEND SECTIONS 21-3-15, 21-5-15, 21-9-61, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INCREASE IN COMPENSATION OF THE GOVERNING AUTHORITIES OF CODE CHARTER, COMMISSION, AND COUNCIL-MANAGER FORMS OF MUNICIPAL GOVERNMENT SHALL NOT TAKE EFFECT UNTIL THE BEGINNING OF THE NEXT TERM FOLLOWING THE NEXT ELECTION FOR SUCH MUNICIPAL GOVERNING AUTHORITIES; TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INCREASE IN SALARY FOR MEMBERS OF THE BOARDS OF SUPERVISORS SHALL NOT TAKE EFFECT UNTIL THE BEGINNING OF THE NEXT TERM FOLLOWING THE NEXT ELECTION FOR MEMBERS OF THE BOARDS OF SUPERVISORS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 5-1-41, Mississippi Code of 1972, is amended as follows:

5-1-41. Beginning with the 1986 Regular Session of the Legislature of the State of Mississippi, each Senator and Representative of the Legislature shall receive as compensation at each regular session the sum of Ten Thousand Dollars ($10,000.00) and the mileage allowance provided by Section 25-3-41, for each mile of the distance by the most direct route usually traveled in coming to and returning from the place where the Legislature sits. Beginning on April 16, 1997, each Senator and Representative shall receive for attending each extraordinary session or called session the sum of Seventy-five Dollars ($75.00) per day and mileage at the same rate as per regular session. In addition to the above, beginning on April 16, 1997, each Senator and Representative and the Lieutenant Governor shall receive the sum of One Thousand Five Hundred Dollars ($1,500.00) per month for expenses incidental to his office for every full month of his term, except any month or major fraction thereof when the Legislature is convened in regular
or extraordinary session; and payments shall be made to each 
Senator and Representative and the Lieutenant Governor by the 
State Treasurer between the first and tenth day of each month 
following the month for which the payments are due.

Any increase in compensation for Senators and Representatives 
shall not take effect until the beginning of the term following 
the next election for Senators and Representatives.

SECTION 2. Section 21-3-15, Mississippi Code of 1972, is 
amended as follows:

21-3-15. (1) The mayor shall preside at all meetings of the 
board of aldermen, and in case there shall be an equal division, 
he shall give the deciding vote. He shall have the superintending 
control of all the officers and affairs of the municipality, and 
shall take care that the laws and ordinances are executed.

(2) Ordinances adopted by the board of aldermen shall be 
submitted to the mayor. The mayor shall, within ten (10) days 
after receiving any ordinance, either approve the ordinance by 
affixing his signature thereto, or return it to the board of 
aldermen by delivering it to the municipal clerk together with a 
written statement setting forth his objections thereto or to any 
item or part thereof. No ordinance or any item or part thereof 
shall take effect without the mayor's approval, unless the mayor 
fails to return an ordinance to the board of aldermen prior to the 
next meeting of the board, but no later than fifteen (15) days 
after it has been presented to him, or unless the board of 
aldermen, upon reconsideration thereof on or after the third day 
following its return by the mayor, shall, by a vote of two-thirds 
(2/3) of the members of the board, resolve to override the mayor's 
veto.

(3) Any increase in salary for the Mayor or Members of the 
Board of Aldermen shall not take effect until the beginning of the 
term following the next election for the Mayor and Members of the 
Board of Aldermen.
The term "ordinance" as used in this section shall be deemed to include ordinances, resolutions and orders.

SECTION 3. Section 21-5-15, Mississippi Code of 1972, is amended as follows:

21-5-15. At the first regular meeting of the council that is first elected, or as soon thereafter as practicable, the council shall, by ordinance, fix the salary of the mayor and each of the councilmen (or commissioners), which ordinance shall not become operative until the same shall have been approved by a majority of the qualified electors voting at an election to be held for that purpose, as provided by this section. Said ordinance shall be published in a newspaper published in said city, and having a general circulation therein, for at least ten (10) days before such election, and notice of the date of such election shall be given by the council for ten (10) days by publication in a newspaper published in such city, and having general circulation therein. In case such ordinance shall be rejected by the electors at such election, then a new ordinance, or ordinances, may be passed by the council and submitted to the electors in like manner, until the same shall have been ratified by the electors.

When an ordinance so fixing the salaries shall have been finally adopted and approved, the salaries so fixed shall remain in effect until altered or changed in the manner hereinafter provided.

To reduce the salary so fixed it shall be sufficient that the council adopt an ordinance to that effect, which ordinance shall become effective upon adoption without the necessity of publication or of an election. To increase the salary so fixed, an ordinance shall be duly adopted, by the council, which ordinance shall be published for ten (10) days in a newspaper published or having a general circulation in such city, and the ordinance shall not become effective unless it is approved by a majority of the qualified electors of such city voting at an election to be held for that purpose after notice of such election.
shall have been given by the council for ten (10) days by publication in a newspaper published in such city or having a general circulation therein, the last notice to appear not more than one (1) week next prior to the date of the election. Any increase in salary for the mayor or councilmen shall not take effect until the beginning of the term following the next election for the mayor and councilmen.

Every officer or assistant, other than the mayor and councilmen, shall receive such salary or compensation as the council shall by ordinance provide. The salary or compensation of all other employees of such city shall be fixed by the council from time to time, as occasion may demand.

SECTION 4. Section 21-9-61, Mississippi Code of 1972, is amended as follows:

21-9-61. The compensation of mayor and councilmen in cities operating under the council-manager plan shall be fixed by ordinance of the council. Any increase in salary for the mayor or councilmen shall not take effect until the beginning of the term following the next election for the mayor and councilmen.

SECTION 5. Section 25-3-13, Mississippi Code of 1972, is amended as follows:

25-3-13. The salaries of the members of the boards of supervisors of the various counties are hereby fixed as full compensation for their services.

The annual salary of each member of the board of supervisors shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

(a) For counties having a total assessed valuation of less than Twenty Million Dollars ($20,000,000.00), a salary of Twenty-three Thousand Five Hundred Twenty-nine Dollars ($23,529.00);
(b) For counties having a total assessed valuation of
at least Twenty Million Dollars ($20,000,000.00), but less than
Twenty-five Million Dollars ($25,000,000.00), a salary of
Twenty-four Thousand One Hundred Thirty-seven Dollars
($24,137.00);

(c) For counties having a total assessed valuation of
at least Twenty-five Million Dollars ($25,000,000.00), but less
than Thirty-five Million Dollars ($35,000,000.00), a salary of
Twenty-four Thousand Seven Hundred Forty-four Dollars
($24,744.00);

(d) For counties having a total assessed valuation of
at least Thirty-five Million Dollars ($35,000,000.00), but less
than Fifty Million Dollars ($50,000,000.00), a salary of
Twenty-six Thousand Eight Hundred Sixty-nine Dollars ($26,869.00);

(e) For counties having a total assessed valuation of
at least Fifty Million Dollars ($50,000,000.00), but less than
Seventy-five Million Dollars ($75,000,000.00), a salary of
Twenty-eight Thousand Eighty-three Dollars ($28,083.00);

(f) For counties having a total assessed valuation of
at least Seventy-five Million Dollars ($75,000,000.00), but less
than One Hundred Twenty-five Million Dollars ($125,000,000.00), a
salary of Twenty-eight Thousand Nine Hundred Ninety-four Dollars
($28,994.00);

(g) For counties having a total assessed valuation of
One Hundred Twenty-five Million Dollars ($125,000,000.00), but
less than Three Hundred Million Dollars ($300,000,000.00), a
salary of Thirty-three Thousand Five Hundred Forty-eight Dollars
($33,548.00);

(h) For counties having a total assessed valuation of
Three Hundred Million Dollars ($300,000,000.00) or more, a salary
of Thirty-seven Thousand Three Hundred Forty-three Dollars
($37,343.00).
The salary of the members of the board of supervisors shall not be increased under this section unless the board of supervisors shall have passed a resolution stating the amount of the increase and spread it on its minutes. Any increase in salary for the members of the boards of supervisors of the various counties shall not take effect until the beginning of the term following the next election for members of the boards of supervisors.

SECTION 6. The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

SECTION 7. This act shall take effect and be in force from and after July 1, 2003, if it is effectuated on or before that date under Section 5 of the Voting Rights Act of 1965, as amended and extended. If it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, after July 1, 2003, this act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended.