

By: Senator(s) Gordon

To: Fees, Salaries and
Administration;
Appropriations

SENATE BILL NO. 2247

1 AN ACT TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE STATE PERSONNEL BOARD MAY EXEMPT PROFESSIONAL
3 ENGINEERS FROM THE STATUTORY SALARY CAP; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-3-39, Mississippi Code of 1972, is
6 amended as follows:

7 25-3-39. (1) No public officer, public employee,
8 administrator, or executive head of any arm or agency of the
9 state, in the executive branch of government, shall be paid a
10 salary or compensation, directly or indirectly, in excess of the
11 salary fixed in Section 25-3-31 for the Governor. All academic
12 officials, members of the teaching staffs and employees of the
13 state institutions of higher learning, the State Board for
14 Community and Junior Colleges, and community and junior colleges,
15 and licensed physicians who are public employees, shall be exempt
16 from this subsection. In addition, the Executive Director of the
17 Department of Economic and Community Development and the Chief of
18 Staff of the Governor's Office shall be exempt from this
19 subsection. The Governor shall fix the annual salary of the
20 Executive Director of the Department of Economic and Community
21 Development and the annual salary of the Chief of Staff of the
22 Governor's Office, which salaries shall be completely paid by the
23 state and may not be supplemented with any funds from any source,
24 including federal or private funds. Provided, however, that the
25 salary of the Executive Director of the Department of Economic and
26 Community Development and the Governor's Chief of Staff shall not



27 be greater than fifty percent (50%) in excess of the salary of the
28 Governor.

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, actuaries
34 and professional engineers from this subsection when the
35 acquisition of such professional services is precluded based on
36 the prevailing wage in the relevant labor market.

37 **SECTION 2.** This act shall take effect and be in force from
38 and after July 1, 2003.

