SENATE BILL NO. 2247

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

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

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

25-3-39. (1) No public officer, public employee, administrator, or executive head of any arm or agency of the state, in the executive branch of government, shall be paid a salary or compensation, directly or indirectly, in excess of the salary fixed in Section 25-3-31 for the Governor. All academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the State Board for Community and Junior Colleges, and community and junior colleges, and licensed physicians who are public employees, shall be exempt from this subsection. In addition, the Executive Director of the Department of Economic and Community Development and the Chief of Staff of the Governor's Office shall be exempt from this subsection. The Governor shall fix the annual salary of the Executive Director of the Department of Economic and Community Development and the annual salary of the Chief of Staff of the Governor's Office, which salaries shall be completely paid by the state and may not be supplemented with any funds from any source, including federal or private funds. Provided, however, that the salary of the Executive Director of the Department of Economic and Community Development and the Governor's Chief of Staff shall not
be greater than fifty percent (50%) in excess of the salary of the
Governor.

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

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