

By: Senator(s) Thames, Furniss, Dawkins, Dearing, Dickerson, Farris, Frazier, Gollott, Gordon, Harden, Huggins, Hyde-Smith, Jackson, Posey, Stogner, Walden, Walls, Williamson

To: Fees, Salaries and Administration; Appropriations

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 2794

1 AN ACT TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE SALARIES OF CERTAIN STATE ELECTED OFFICIALS; TO AMEND
3 SECTION 25-3-34, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EDUCATION
4 BENCHMARK AWARDS TO CERTAIN ELECTED STATE OFFICIALS; TO AMEND
5 SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO INCREASE THE
6 SALARIES OF THE ELECTED JUDICIARY, DISTRICT ATTORNEYS AND LEGAL
7 ASSISTANTS; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972,
8 TO INCREASE THE SALARIES OF CRIMINAL INVESTIGATORS EMPLOYED BY
9 DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

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

11 SECTION 1. Section 25-3-31, Mississippi Code of 1972, is
12 amended as follows:

13 25-3-31. The annual salaries of the following elected state
14 and district officers are fixed as follows:

Table with 2 columns: Position and Salary. Rows include Governor (\$111,980.00), Attorney General (99,880.00), Secretary of State (82,500.00), Commissioner of Insurance (82,500.00), State Treasurer (82,500.00), State Auditor of Public Accounts (82,500.00), Commissioner of Agriculture and Commerce (82,500.00), Transportation Commissioners (71,500.00), and Public Service Commissioners (71,500.00).

24 The above fixed salary of the Governor shall be the reference
25 amount utilized in computing average compensation and earned
26 compensation pursuant to Section 25-11-103(f) and Section
27 25-11-103(k) and to related sections which require such
28 computations.

29 SECTION 2. Section 25-3-34, Mississippi Code of 1972, is
30 amended as follows:



31 25-3-34. (1) In addition to the salary provided in Section
32 25-3-31 or 25-3-33, any elective or appointive state and district
33 official and employee provided therein shall receive the award of
34 an education benchmark as defined in State Personnel Board rules
35 for the possession or attainment of any of the following:

- 36 (a) The Certified Public Manager designation;
- 37 (b) A job-related Ph.D (Doctor of Philosophy) degree
38 which is not required as a minimum qualification of the position;
- 39 (c) A job related certification, licensure or
40 registration requiring the passage of an examination, which is not
41 required as a minimum qualification of the position.

42 (2) No such official or employee may receive more than a
43 total of three (3) eligible benchmarks, only one of which may be
44 for a job related certification, licensure or registration.

45 (3) The State Personnel Board shall promulgate rules and
46 regulations to carry out the provisions of this section.

47 **SECTION 3.** Section 25-3-35, Mississippi Code of 1972, is
48 amended as follows:

49 25-3-35. (1) The annual salaries of the following judges
50 are fixed as follows, to begin at the commencement of the next
51 term of office immediately succeeding the existing term:

52 Chief Justice of the Supreme Court.....	<u>\$115,390.00</u>
53 Presiding Justice of the Supreme Court.....	<u>113,190.00</u>
54 Associate Justices of the Supreme Court, each....	<u>112,530.00</u>

55 However, in addition to their present official duties, there
56 are imposed upon the Supreme Court justices the extra duties of
57 making a special study of existing laws and reporting to each
58 regular session of the Legislature such constructive suggestions
59 as they may deem necessary for the improvement of the
60 administration of justice, and of advising and counseling with the
61 State Librarian in the selection of law books for purchase and use
62 in the State Law Library, advising with the librarian thereof upon
63 the removal from the library of any books which may be the least



64 frequently used, and for the placing of same in a convenient
65 location so as to provide additional space for such books and
66 other current publications which may be more frequently used or
67 called for. For such extra services each justice, from and after
68 June 17, 1999, shall receive a sum sufficient when added to the
69 present salaries of the justices to aggregate One Hundred Fifteen
70 Thousand Three Hundred Ninety Dollars (\$115,390.00) for the Chief
71 Justice, One Hundred Thirteen Thousand One Hundred Ninety Dollars
72 (\$113,190.00) for the presiding justice, and One Hundred Twelve
73 Thousand Five Hundred Thirty Dollars (\$112,530.00) for associate
74 justices, per annum. As each existing term expires and the
75 above-captioned salaries become effective in due course, the extra
76 duties and compensation provided for shall cease.

77 (2) The annual salaries of the judges of the Court of
78 Appeals of Mississippi are fixed as follows:

79 Chief Judge of the Court of Appeals..... \$108,130.00
80 Associate Judges of the Court of Appeals, each... 105,050.00

81 (3) The annual salaries of the chancery and circuit court
82 judges are fixed as follows:

83 Chancery Judges, each..... \$104,170.00
84 Circuit Judges, each..... 104,170.00

85 In addition to their present official duties, there are
86 imposed upon the chancery and circuit court judges the extra
87 duties of making a special study of existing laws relating to
88 trial courts and reporting to the Supreme Court of the State of
89 Mississippi such constructive suggestions as they may deem
90 necessary for the improvement of the administration of justice,
91 which shall be recommended to the Legislature by the Supreme Court
92 in the manner provided by law. The judges shall advise and
93 supervise in the purchase of law books for the libraries of each
94 district, and shall study and evaluate the inventory of books and
95 facilities now existing in the libraries of each district to
96 effect the removal and relocation of obsolete publications so as



97 to provide additional space for those books and current
98 publications more frequently used. The judges shall study the
99 existing rules promulgated by the circuit and chancery court
100 judicial associations governing the operation of chancery and
101 circuit courts, and revise the same pursuant to existing laws.
102 For such extra services each judge, from and after June 17, 1999,
103 shall receive a sum sufficient when added to the present salaries
104 of the judges to aggregate One Hundred Four Thousand One Hundred
105 Seventy Dollars (\$104,170.00) per annum for each judge. Upon the
106 expiration of the existing term, the above-captioned salaries
107 become effective in due course, and the extra duties and
108 compensation provided for shall cease.

109 (4) The Supreme Court shall prepare a payroll for chancery
110 judges and circuit judges and submit such payroll to the
111 Department of Finance and Administration.

112 (5) The annual salary of the full-time district attorneys
113 shall be Eighty-seven Thousand Eight Hundred Thirteen Dollars
114 (\$87,813.00).

115 (6) The annual salary of the full-time legal assistants
116 shall be not less than Sixteen Thousand Five Hundred Dollars
117 (\$16,500.00) nor more than Seventy-four Thousand Two Hundred Fifty
118 Dollars (\$74,250.00), as established by the district attorney.

119 **SECTION 4.** Section 25-31-10, Mississippi Code of 1972, is
120 amended as follows:

121 25-31-10. (1) Any district attorney may appoint a full-time
122 criminal investigator.

123 (2) The district attorneys of the Third, Fifth, Ninth,
124 Tenth, Eleventh, Twelfth, Fifteenth, Sixteenth, Seventeenth and
125 Twentieth Circuit Court Districts may appoint one (1) additional
126 full-time criminal investigator for a total of two (2) full-time
127 criminal investigators.

128 (3) The district attorneys of the First, Second, Fourth and
129 Seventh and Nineteenth Circuit Court Districts may appoint two (2)



130 additional full-time criminal investigators for a total of three
131 (3) full-time criminal investigators.

132 (4) No district attorney or assistant district attorney
133 shall accept any private employment, civil or criminal, in any
134 matter investigated by such criminal investigators.

135 (5) The full and complete compensation for all public duties
136 rendered by said criminal investigators shall be not more than
137 Forty-nine Thousand Five Hundred Dollars (\$49,500.00) per annum,
138 to be determined at the discretion of the district attorney based
139 upon the qualifications, education and experience of the criminal
140 investigator, plus necessary travel and other expenses, to be paid
141 in accordance with Section 25-31-8. However, the maximum salary
142 under this subsection for a criminal investigator who has a law
143 degree may be supplemented by the district attorney from other
144 available funds, but not to exceed the maximum salary for a legal
145 assistant to a district attorney.

146 (6) Any criminal investigator may be designated by the
147 district attorney to attend the Law Enforcement Officers Training
148 Program set forth in Section 45-6-1 et seq., Mississippi Code of
149 1972. The total expenses associated with attendance by criminal
150 investigators at the Law Enforcement Officers Training Program
151 shall be paid out of the funds of the appropriate district
152 attorney.

153 **SECTION 5.** The Attorney General of the State of Mississippi
154 shall submit this act, immediately upon approval by the Governor,
155 or upon approval by the Legislature subsequent to a veto, to the
156 Attorney General of the United States or to the United States
157 District Court for the District of Columbia in accordance with the
158 provisions of the Voting Rights Act of 1965, as amended and
159 extended.

160 **SECTION 6.** This act shall take effect and be in force from
161 and after the date it is effectuated under Section 5 of the Voting



162 Rights Act of 1965, as amended and extended, or January 1, 2004,
163 whichever is later.

