

By: Representative Warren

To: Fees and Salaries of
Public Officers;
Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 636

1 AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE DATE OF REPEAL ON THE PROVISION OF LAW THAT PROVIDES
3 THE SALARIES OF ELECTED JUDICIARY, DISTRICT ATTORNEYS AND LEGAL
4 ASSISTANTS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is
7 amended as follows:

8 25-3-35. (1) The annual salaries of the following judges
9 are fixed as follows, to begin at the commencement of the next
10 term of office immediately succeeding the existing term:

11	Chief Justice of the Supreme Court.....	\$115,390.00
12	Presiding Justice of the Supreme Court.....	113,190.00
13	Associate Justices of the Supreme Court, each....	112,530.00

14 However, in addition to their present official duties, there
15 are imposed upon the Supreme Court justices the extra duties of
16 making a special study of existing laws and reporting to each
17 regular session of the Legislature such constructive suggestions
18 as they may deem necessary for the improvement of the
19 administration of justice, and of identifying and directing the
20 State Librarian to apply for grants and donations from any public
21 or private source for the purpose of enhancing the holdings of the
22 state law library, and of advising and counseling with the State
23 Librarian in the selection of law books for purchase and use in
24 the State Law Library, advising with the librarian thereof upon
25 the removal from the library of any books which may be the least
26 frequently used, and for the placing of same in a convenient
27 location so as to provide additional space for such books and
28 other current publications which may be more frequently used or

29 called for. For such extra services each justice, from and after
30 January 1, 2004, shall receive a sum sufficient when added to the
31 present salaries of the justices to aggregate One Hundred Fifteen
32 Thousand Three Hundred Ninety Dollars (\$115,390.00) for the Chief
33 Justice, One Hundred Thirteen Thousand One Hundred Ninety Dollars
34 (\$113,190.00) for the presiding justice, and One Hundred Twelve
35 Thousand Five Hundred Thirty Dollars (\$112,530.00) for associate
36 justices, per annum. As each existing term expires and the
37 above-captioned salaries become effective in due course, the extra
38 duties and compensation provided for shall cease.

39 The fixed salaries as specified in this subsection (1) shall
40 be the exclusive and total compensation which can be reported to
41 the Public Employees' Retirement System for retirement purposes;
42 however, any judge in office on December 31, 2003, may continue to
43 report his expense allowance as part of his compensation for
44 retirement purposes.

45 (2) The annual salaries of the judges of the Court of
46 Appeals of Mississippi are fixed as follows, to begin at the
47 commencement of the next term of office immediately succeeding the
48 existing term:

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

51 However, in addition to their present official duties, there
52 are imposed upon the judges of the Court of Appeals the extra
53 duties of making a special study of existing laws and reporting to
54 the Supreme Court of the State of Mississippi such constructive
55 suggestions as they may deem necessary for the improvement of the
56 administration of justice, and assisting in advising and
57 counseling with the State Librarian in the selection of law books
58 for purchase and use in the State Law Library, assisting in
59 advising with the librarian thereof upon the removal from the
60 library of any books which may be the least frequently used, and
61 for the placing of same in a convenient location so as to provide

62 additional space for such books and other current publications
63 which may be more frequently used or called for. For such extra
64 services each judge, from and after January 1, 2004, shall receive
65 a sum sufficient when added to the present salaries of the judges
66 to aggregate One Hundred Eight Thousand One Hundred Thirty Dollars
67 (\$108,130.00) for the Chief Judge and One Hundred Five Thousand
68 Fifty Dollars (\$105,050.00) for associate judges, per annum. As
69 each existing term expires and the above-captioned salaries become
70 effective in due course, the extra duties and compensation
71 provided for shall cease.

72 The fixed salaries as specified in this subsection (2) shall
73 be the exclusive and total compensation which can be reported to
74 the Public Employees' Retirement System for retirement purposes;
75 however, any judge in office on December 31, 2003, may continue to
76 report his expense allowance as part of his compensation for
77 retirement purposes.

78 (3) The annual salaries of the chancery and circuit court
79 judges are fixed as follows, to begin at the commencement of the
80 next term of office immediately succeeding the existing term:

81	Chancery Judges, each.....	\$104,170.00
82	Circuit Judges, each.....	104,170.00

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

95 to provide additional space for those books and current
96 publications more frequently used. The judges shall seek and
97 identify any grants and donations from any public or private
98 source for the purpose of enhancing the holdings of the libraries
99 of each district. The judges shall study the existing rules
100 promulgated by the circuit and chancery court judicial
101 associations governing the operation of chancery and circuit
102 courts, and revise the same pursuant to existing laws. For such
103 extra services each judge, from and after January 1, 2004, shall
104 receive a sum sufficient when added to the present salaries of the
105 judges to aggregate One Hundred Four Thousand One Hundred Seventy
106 Dollars (\$104,170.00) per annum for each judge. Upon the
107 expiration of the existing term, the above-captioned salaries
108 become effective in due course, and the extra duties and
109 compensation provided for shall cease.

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

113 (5) The annual salary of the full-time district attorneys
114 shall be Ninety-five Thousand Seven Hundred Ninety-six Dollars
115 (\$95,796.00).

116 (6) The annual salary of the full-time legal assistants
117 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor
118 more than eighty percent (80%) of the salary of the district
119 attorney for legal assistants who have been licensed to practice
120 law for five (5) years or less; eighty-five percent (85%) of the
121 salary of the district attorney for legal assistants who have been
122 licensed to practice law for at least five (5) years but less than
123 fifteen (15) years; and ninety percent (90%) of the salary of the
124 district attorney for legal assistants who have been licensed to
125 practice law for at least fifteen (15) years or more.

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127 **SECTION 2.** The Attorney General of the State of Mississippi
128 shall submit this act, immediately upon approval by the Governor,
129 or upon approval by the Legislature subsequent to a veto, to the
130 Attorney General of the United States or to the United States
131 District Court for the District of Columbia in accordance with the
132 provisions of the Voting Rights Act of 1965, as amended and
133 extended.

134 **SECTION 3.** This act shall take effect and be in force from
135 and after the date it is effectuated under Section 5 of the Voting
136 Rights Act of 1965, as amended and extended.