

By: Representative Coleman (29th)

To: Fees and Salaries of
Public Officers;
Appropriations

HOUSE BILL NO. 1143

1 AN ACT TO BRING FORWARD SECTIONS 25-3-35, MISSISSIPPI CODE OF
2 1972, WHICH PROVIDE FOR THE SALARIES OF SUPREME COURT JUSTICES,
3 COURT OF APPEALS JUDGES, CIRCUIT JUDGES, CHANCERY JUDGES, DISTRICT
4 ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS, FOR PURPOSES OF
5 AMENDMENT; TO BRING FORWARD SECTION 25-3-31, MISSISSIPPI CODE OF
6 1972, WHICH PROVIDES FOR THE SALARIES OF STATE ELECTED OFFICIALS,
7 FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 25-3-35, Mississippi Code of 1972, is
10 brought forward as follows:

11 25-3-35. (1) The annual salaries of the following judges
12 are fixed as follows, to begin at the commencement of the next
13 term of office immediately succeeding the existing term:

14	Chief Justice of the Supreme Court.....	\$115,390.00
15	Presiding Justice of the Supreme Court.....	113,190.00
16	Associate Justices of the Supreme Court, each....	112,530.00

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

30 location so as to provide additional space for such books and
31 other current publications which may be more frequently used or
32 called for. For such extra services each justice, from and after
33 January 1, 2004, shall receive a sum sufficient when added to the
34 present salaries of the justices to aggregate One Hundred Fifteen
35 Thousand Three Hundred Ninety Dollars (\$115,390.00) for the Chief
36 Justice, One Hundred Thirteen Thousand One Hundred Ninety Dollars
37 (\$113,190.00) for the presiding justice, and One Hundred Twelve
38 Thousand Five Hundred Thirty Dollars (\$112,530.00) for associate
39 justices, per annum. As each existing term expires and the
40 above-captioned salaries become effective in due course, the extra
41 duties and compensation provided for shall cease.

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

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

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

54 However, in addition to their present official duties, there
55 are imposed upon the judges of the Court of Appeals the extra
56 duties of making a special study of existing laws and reporting to
57 the Supreme Court of the State of Mississippi such constructive
58 suggestions as they may deem necessary for the improvement of the
59 administration of justice, and assisting in advising and
60 counseling with the State Librarian in the selection of law books
61 for purchase and use in the State Law Library, assisting in
62 advising with the librarian thereof upon the removal from the

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

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

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

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

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

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

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

116 (5) The annual salary of the full-time district attorneys
117 shall be Ninety-five Thousand Seven Hundred Ninety-six Dollars
118 (\$95,796.00).

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

129 (7) This section shall stand repealed from and after January
130 1, 2007.

131 **SECTION 2.** Section 25-3-31, Mississippi Code of 1972, is
132 brought forward as follows:

133 25-3-31. The annual salaries of the following elected state
134 and district officers are fixed as follows:

135	Governor.....	\$122,160.00
136	Attorney General.....	108,960.00
137	Secretary of State.....	90,000.00
138	Commissioner of Insurance.....	90,000.00
139	State Treasurer.....	90,000.00
140	State Auditor of Public Accounts.....	90,000.00
141	Commissioner of Agriculture and Commerce.....	90,000.00
142	Transportation Commissioners.....	78,000.00
143	Public Service Commissioners.....	78,000.00

144 If the person serving as Governor on December 31, 2003, is
145 reelected to the office of Governor for the term beginning in the
146 year 2004, he may choose not to receive the salary increase
147 authorized by this section, but to receive, instead, an annual
148 salary of One Hundred One Thousand Eight Hundred Dollars
149 (\$101,800.00) during his new term of office by filing a written
150 request with the Department of Finance and Administration.

151 The above fixed salary of the Governor shall be the reference
152 amount utilized in computing average compensation and earned
153 compensation pursuant to Section 25-11-103(f) and Section
154 25-11-103(k) and to related sections which require such
155 computations.

156 This section shall stand repealed from and after January 1,
157 2007.

158 **SECTION 3.** The Attorney General of the State of Mississippi
159 shall submit this act, immediately upon approval by the Governor,
160 or upon approval by the Legislature subsequent to a veto, to the
161 Attorney General of the United States or to the United States

162 District Court for the District of Columbia in accordance with the
163 provisions of the Voting Rights Act of 1965, as amended and
164 extended.

165 **SECTION 4.** This act shall take effect and be in force from
166 and after the date it is effectuated under Section 5 of the Voting
167 Rights Act of 1965, as amended and extended.