

By: Representative Coleman (29th)

To: Fees and Salaries of Public Officers

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1130

1 AN ACT TO AMEND SECTIONS 25-3-31 AND 25-3-35, MISSISSIPPI
2 CODE OF 1972, TO INCREASE THE SALARIES OF ELECTED OFFICIALS, FOR
3 PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-3-31, Mississippi Code of 1972, is
6 amended as follows:

7 25-3-31. The annual salaries of the following elected state
8 and district officers are fixed as follows:

9	Governor.....	<u>\$175,000.00</u>
10	Attorney General.....	<u>165,000.00</u>
11	Secretary of State.....	<u>140,000.00</u>
12	Commissioner of Insurance.....	<u>140,000.00</u>
13	State Treasurer.....	<u>140,000.00</u>
14	State Auditor of Public Accounts.....	<u>140,000.00</u>
15	Commissioner of Agriculture and Commerce.....	<u>140,000.00</u>
16	Transportation Commissioners.....	<u>90,000.00</u>
17	Public Service Commissioners.....	<u>90,000.00</u>

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19 The above fixed salary of the Governor shall be the reference
20 amount utilized in computing average compensation and earned
21 compensation pursuant to Section 25-11-103(f) and Section
22 25-11-103(k) and to related sections which require such
23 computations.

24 This section shall stand repealed from and after July 1,
25 2008.

26 **SECTION 2.** Section 25-3-35, Mississippi Code of 1972, is
27 amended as follows:

28 25-3-35. (1) The annual salaries of the following judges
29 are fixed as follows, to begin at the commencement of the next
30 term of office immediately succeeding the existing term:

31	Chief Justice of the Supreme Court.....	<u>\$153,000.00</u>
32	Presiding Justice of the Supreme Court.....	<u>151,000.00</u>
33	Associate Justices of the Supreme Court, each....	<u>150,000.00</u>

34 However, in addition to their present official duties, there
35 are imposed upon the Supreme Court justices the extra duties of
36 making a special study of existing laws and reporting to each
37 regular session of the Legislature such constructive suggestions
38 as they may deem necessary for the improvement of the
39 administration of justice, and of identifying and directing the
40 State Librarian to apply for grants and donations from any public
41 or private source for the purpose of enhancing the holdings of the
42 state law library, and of advising and counseling with the State
43 Librarian in the selection of law books for purchase and use in
44 the State Law Library, advising with the librarian thereof upon
45 the removal from the library of any books which may be the least
46 frequently used, and for the placing of same in a convenient
47 location so as to provide additional space for such books and
48 other current publications which may be more frequently used or
49 called for. For such extra services each justice, from and after
50 January 1, 2004, shall receive a sum sufficient when added to the
51 present salaries of the justices to aggregate One Hundred Fifteen
52 Thousand Three Hundred Ninety Dollars (\$115,390.00) for the Chief
53 Justice, One Hundred Thirteen Thousand One Hundred Ninety Dollars
54 (\$113,190.00) for the presiding justice, and One Hundred Twelve
55 Thousand Five Hundred Thirty Dollars (\$112,530.00) for associate
56 justices, per annum. As each existing term expires and the
57 above-captioned salaries become effective in due course, the extra
58 duties and compensation provided for shall cease.

59 The fixed salaries as specified in this subsection (1) shall
60 be the exclusive and total compensation which can be reported to

61 the Public Employees' Retirement System for retirement purposes;
62 however, any judge in office on December 31, 2003, may continue to
63 report his expense allowance as part of his compensation for
64 retirement purposes.

65 (2) The annual salaries of the judges of the Court of
66 Appeals of Mississippi are fixed as follows, to begin at the
67 commencement of the next term of office immediately succeeding the
68 existing term:

69 Chief Judge of the Court of Appeals..... \$143,000.00
70 Associate Judges of the Court of Appeals, each... 140,000.00

71 However, in addition to their present official duties, there
72 are imposed upon the judges of the Court of Appeals the extra
73 duties of making a special study of existing laws and reporting to
74 the Supreme Court of the State of Mississippi such constructive
75 suggestions as they may deem necessary for the improvement of the
76 administration of justice, and assisting in advising and
77 counseling with the State Librarian in the selection of law books
78 for purchase and use in the State Law Library, assisting in
79 advising with the librarian thereof upon the removal from the
80 library of any books which may be the least frequently used, and
81 for the placing of same in a convenient location so as to provide
82 additional space for such books and other current publications
83 which may be more frequently used or called for. For such extra
84 services each judge, from and after January 1, 2004, shall receive
85 a sum sufficient when added to the present salaries of the judges
86 to aggregate One Hundred Eight Thousand One Hundred Thirty Dollars
87 (\$108,130.00) for the Chief Judge and One Hundred Five Thousand
88 Fifty Dollars (\$105,050.00) for associate judges, per annum. As
89 each existing term expires and the above-captioned salaries become
90 effective in due course, the extra duties and compensation
91 provided for shall cease.

92 The fixed salaries as specified in this subsection (2) shall
93 be the exclusive and total compensation which can be reported to

94 the Public Employees' Retirement System for retirement purposes;
95 however, any judge in office on December 31, 2003, may continue to
96 report his expense allowance as part of his compensation for
97 retirement purposes.

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

101	Chancery Judges, each.....	<u>\$130,000.00</u>
102	Circuit Judges, each.....	<u>130,000.00</u>

103 In addition to their present official duties, there are
104 imposed upon the chancery and circuit court judges the extra
105 duties of making a special study of existing laws relating to
106 trial courts and reporting to the Supreme Court of the State of
107 Mississippi such constructive suggestions as they may deem
108 necessary for the improvement of the administration of justice,
109 which shall be recommended to the Legislature by the Supreme Court
110 in the manner provided by law. The judges shall advise and
111 supervise in the purchase of law books for the libraries of each
112 district, and shall study and evaluate the inventory of books and
113 facilities now existing in the libraries of each district to
114 effect the removal and relocation of obsolete publications so as
115 to provide additional space for those books and current
116 publications more frequently used. The judges shall seek and
117 identify any grants and donations from any public or private
118 source for the purpose of enhancing the holdings of the libraries
119 of each district. The judges shall study the existing rules
120 promulgated by the circuit and chancery court judicial
121 associations governing the operation of chancery and circuit
122 courts, and revise the same pursuant to existing laws. For such
123 extra services each judge, from and after January 1, 2004, shall
124 receive a sum sufficient when added to the present salaries of the
125 judges to aggregate One Hundred Four Thousand One Hundred Seventy
126 Dollars (\$104,170.00) per annum for each judge. Upon the

127 expiration of the existing term, the above-captioned salaries
128 become effective in due course, and the extra duties and
129 compensation provided for shall cease.

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

133 (5) The annual salary of the full-time district attorneys
134 shall be One Hundred Thirty Thousand Dollars (\$130,000.00).

135 (6) The annual salary of the full-time legal assistants
136 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor
137 more than eighty percent (80%) of the salary of the district
138 attorney for legal assistants who have been licensed to practice
139 law for five (5) years or less; eighty-five percent (85%) of the
140 salary of the district attorney for legal assistants who have been
141 licensed to practice law for at least five (5) years but less than
142 fifteen (15) years; and ninety percent (90%) of the salary of the
143 district attorney for legal assistants who have been licensed to
144 practice law for at least fifteen (15) years or more.

145 (7) This section shall stand repealed from and after July 1,
146 2008.

147 **SECTION 3.** The Attorney General of the State of Mississippi
148 shall submit this act, immediately upon approval by the Governor,
149 or upon approval by the Legislature subsequent to a veto, to the
150 Attorney General of the United States or to the United States
151 District Court for the District of Columbia in accordance with the
152 provisions of the Voting Rights Act of 1965, as amended and
153 extended.

154 **SECTION 4.** This act shall take effect and be in force from
155 and after the date it is effectuated under Section 5 of the Voting
156 Rights Act of 1965, as amended and extended, or January 1, 2008,
157 whichever occurs later.