

By: Representative Coleman (29th)

To: Fees and Salaries of Public Officers

HOUSE BILL NO. 1130

1 AN ACT TO BRING FORWARD SECTIONS 25-3-31 AND 25-3-35,  
2 MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE SALARIES OF  
3 CERTAIN ELECTED OFFICIALS, FOR PURPOSES OF AMENDMENT; AND FOR  
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 25-3-31, Mississippi Code of 1972, is  
7 brought forward as follows:

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

10	Governor.....	\$122,160.00
11	Attorney General.....	108,960.00
12	Secretary of State.....	90,000.00
13	Commissioner of Insurance.....	90,000.00
14	State Treasurer.....	90,000.00
15	State Auditor of Public Accounts.....	90,000.00
16	Commissioner of Agriculture and Commerce.....	90,000.00
17	Transportation Commissioners.....	78,000.00
18	Public Service Commissioners.....	78,000.00

19 If the person serving as Governor on December 31, 2003, is  
20 reelected to the Office of Governor for the term beginning in the  
21 year 2004, he may choose not to receive the salary increase  
22 authorized by this section, but to receive, instead, an annual  
23 salary of One Hundred One Thousand Eight Hundred Dollars  
24 (\$101,800.00) during his new term of office by filing a written  
25 request with the Department of Finance and Administration.

26 The above fixed salary of the Governor shall be the reference  
27 amount utilized in computing average compensation and earned  
28 compensation pursuant to Section 25-11-103(f) and Section

29 25-11-103(k) and to related sections which require such  
30 computations.

31 This section shall stand repealed from and after July 1,  
32 2008.

33 **SECTION 2.** Section 25-3-35, Mississippi Code of 1972, is  
34 brought forward as follows:

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

38	Chief Justice of the Supreme Court.....	\$115,390.00
39	Presiding Justice of the Supreme Court.....	113,190.00
40	Associate Justices of the Supreme Court, each....	112,530.00

41 However, in addition to their present official duties, there  
42 are imposed upon the Supreme Court justices the extra duties of  
43 making a special study of existing laws and reporting to each  
44 regular session of the Legislature such constructive suggestions  
45 as they may deem necessary for the improvement of the  
46 administration of justice, and of identifying and directing the  
47 State Librarian to apply for grants and donations from any public  
48 or private source for the purpose of enhancing the holdings of the  
49 state law library, and of advising and counseling with the State  
50 Librarian in the selection of law books for purchase and use in  
51 the State Law Library, advising with the librarian thereof upon  
52 the removal from the library of any books which may be the least  
53 frequently used, and for the placing of same in a convenient  
54 location so as to provide additional space for such books and  
55 other current publications which may be more frequently used or  
56 called for. For such extra services each justice, from and after  
57 January 1, 2004, shall receive a sum sufficient when added to the  
58 present salaries of the justices to aggregate One Hundred Fifteen  
59 Thousand Three Hundred Ninety Dollars (\$115,390.00) for the Chief  
60 Justice, One Hundred Thirteen Thousand One Hundred Ninety Dollars  
61 (\$113,190.00) for the presiding justice, and One Hundred Twelve

62 Thousand Five Hundred Thirty Dollars (\$112,530.00) for associate  
63 justices, per annum. As each existing term expires and the  
64 above-captioned salaries become effective in due course, the extra  
65 duties and compensation provided for shall cease.

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

72 (2) The annual salaries of the judges of the Court of  
73 Appeals of Mississippi are fixed as follows, to begin at the  
74 commencement of the next term of office immediately succeeding the  
75 existing term:

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

78 However, in addition to their present official duties, there  
79 are imposed upon the judges of the Court of Appeals the extra  
80 duties of making a special study of existing laws and reporting to  
81 the Supreme Court of the State of Mississippi such constructive  
82 suggestions as they may deem necessary for the improvement of the  
83 administration of justice, and assisting in advising and  
84 counseling with the State Librarian in the selection of law books  
85 for purchase and use in the State Law Library, assisting in  
86 advising with the librarian thereof upon the removal from the  
87 library of any books which may be the least frequently used, and  
88 for the placing of same in a convenient location so as to provide  
89 additional space for such books and other current publications  
90 which may be more frequently used or called for. For such extra  
91 services each judge, from and after January 1, 2004, shall receive  
92 a sum sufficient when added to the present salaries of the judges  
93 to aggregate One Hundred Eight Thousand One Hundred Thirty Dollars  
94 (\$108,130.00) for the Chief Judge and One Hundred Five Thousand

95 Fifty Dollars (\$105,050.00) for associate judges, per annum. As  
96 each existing term expires and the above-captioned salaries become  
97 effective in due course, the extra duties and compensation  
98 provided for shall cease.

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

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

108	Chancery Judges, each.....	\$104,170.00
109	Circuit Judges, each.....	104,170.00

110 In addition to their present official duties, there are  
111 imposed upon the chancery and circuit court judges the extra  
112 duties of making a special study of existing laws relating to  
113 trial courts and reporting to the Supreme Court of the State of  
114 Mississippi such constructive suggestions as they may deem  
115 necessary for the improvement of the administration of justice,  
116 which shall be recommended to the Legislature by the Supreme Court  
117 in the manner provided by law. The judges shall advise and  
118 supervise in the purchase of law books for the libraries of each  
119 district, and shall study and evaluate the inventory of books and  
120 facilities now existing in the libraries of each district to  
121 effect the removal and relocation of obsolete publications so as  
122 to provide additional space for those books and current  
123 publications more frequently used. The judges shall seek and  
124 identify any grants and donations from any public or private  
125 source for the purpose of enhancing the holdings of the libraries  
126 of each district. The judges shall study the existing rules  
127 promulgated by the circuit and chancery court judicial

128 associations governing the operation of chancery and circuit  
129 courts, and revise the same pursuant to existing laws. For such  
130 extra services each judge, from and after January 1, 2004, shall  
131 receive a sum sufficient when added to the present salaries of the  
132 judges to aggregate One Hundred Four Thousand One Hundred Seventy  
133 Dollars (\$104,170.00) per annum for each judge. Upon the  
134 expiration of the existing term, the above-captioned salaries  
135 become effective in due course, and the extra duties and  
136 compensation provided for shall cease.

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

140 (5) The annual salary of the full-time district attorneys  
141 shall be Ninety-five Thousand Seven Hundred Ninety-six Dollars  
142 (\$95,796.00).

143 (6) The annual salary of the full-time legal assistants  
144 shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor  
145 more than eighty percent (80%) of the salary of the district  
146 attorney for legal assistants who have been licensed to practice  
147 law for five (5) years or less; eighty-five percent (85%) of the  
148 salary of the district attorney for legal assistants who have been  
149 licensed to practice law for at least five (5) years but less than  
150 fifteen (15) years; and ninety percent (90%) of the salary of the  
151 district attorney for legal assistants who have been licensed to  
152 practice law for at least fifteen (15) years or more.

153 (7) This section shall stand repealed from and after July 1,  
154 2008.

155 **SECTION 3.** The Attorney General of the State of Mississippi  
156 shall submit this act, immediately upon approval by the Governor,  
157 or upon approval by the Legislature subsequent to a veto, to the  
158 Attorney General of the United States or to the United States  
159 District Court for the District of Columbia in accordance with the

160 provisions of the Voting Rights Act of 1965, as amended and  
161 extended.

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