

JAN 21 2011

S.B. NO. 275

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 3.5, OF THE
HAWAII CONSTITUTION, TO REPEAL ARTICLE XVI, SECTION 3.5,
WHICH CREATED THE COMMISSION ON SALARIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to abolish the
2 commission on salaries that was created by legislation and
3 subsequent ratification in 2006. The current law gives the
4 commission on salaries, which is not sufficiently accountable to
5 the public, the power to increase legislative salaries. During
6 these difficult economic times, members of the public have
7 expressed concerns about the large increase in salary that State
8 legislators received in 2009. This Act will abolish the current
9 system of providing for salary increases, and will allow
10 legislators to enact laws enabling them to deliberate and vote
11 on their own changes in compensation. The Legislature believes
12 that legislators should deliberate and vote upon their own
13 changes in compensation as a means of making them more
14 accountable to the members of the public whom they serve. This
15 Act will also allow legislators to enact laws that will better
16 address salary adjustments for other State officials and
17 employees.



1 SECTION 2. Article XVI, section 3.5, of the Hawaii
2 constitution is repealed.

3 [~~Section [3.5].~~ There shall be a commission on salaries
4 as provided by law, which shall review and recommend salaries
5 for the justices and judges of all state courts, members of the
6 legislature, department heads or executive officers of the
7 executive departments and the deputies or assistants to
8 department heads of the executive departments as provided by
9 law, excluding the University of Hawaii and the department of
10 education. The commission shall also review and make
11 recommendations for the salary of the administrative director of
12 the State or equivalent position and the salary of the governor
13 and the lieutenant governor.

14 Any salary established pursuant to this section shall not
15 be decreased during a term of office, unless by general law
16 applying to all salaried officers of the State.

17 Not later than the fortieth legislative day of the 2007
18 regular legislative session and every six years thereafter, the
19 commission shall submit to the legislature its recommendations
20 and then dissolve.

21 The recommended salaries submitted shall become effective
22 as provided in the recommendation, unless the legislature



1 ~~disapproves the entire recommendation as a whole by adoption of~~
2 ~~a concurrent resolution prior to adjournment sine die of the~~
3 ~~legislative session in which the recommendation is submitted;~~
4 ~~provided that any change in salary which becomes effective shall~~
5 ~~not apply to the legislature to which the recommendation for the~~
6 ~~change in salary was submitted."]~~

7 SECTION 3. The question to be printed on the ballot shall
8 be as follows:

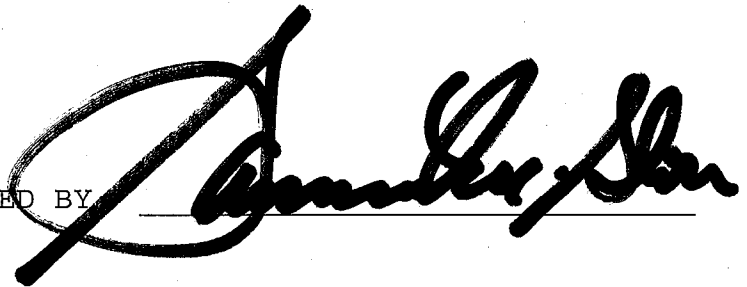
9 "Shall the commission on salaries be abolished in order to
10 allow new laws to be enacted which shall: (1) require state
11 legislators to deliberate and vote upon their own
12 adjustments in compensation, and (2) address salary
13 adjustments for other state officials and employees?"

14 SECTION 4. Constitutional material to be repealed is
15 bracketed and stricken.

16 SECTION 5. This amendment shall take effect upon
17 compliance with article XVII, section 3, of the Hawaii
18 Constitution.

19

INTRODUCED BY



Report Title:

Abolition of Commission on Salaries; Constitutional Amendment

Description:

Repeals the constitutional provision creating the commission on salaries.

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