
A BILL FOR AN ACT

RELATING TO SALARIES.

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

1 SECTION 1. Act 85, Session Laws of Hawaii 2009, section 2,
2 as amended by Act 57, Session Laws of Hawaii 2011, section 1, is
3 amended to read as follows:

4 "SECTION 2. (a) Notwithstanding any law to the contrary
5 and notwithstanding the recommendations of the commission on
6 salaries for salary increases, beginning July 1, 2009, and until
7 [~~December 31,~~] June 30, 2013, the annual salaries of the
8 governor, the lieutenant governor, the justices and judges of
9 all state courts, the administrative director of the State or an
10 equivalent position, and the department heads or executive
11 officers and the deputies or assistants to the department heads
12 or executive officers of the departments of:

- 13 (1) Accounting and general services;
14 (2) Agriculture;
15 (3) The attorney general;
16 (4) Budget and finance;
17 (5) Business, economic development, and tourism;
18 (6) Commerce and consumer affairs;



1 (7) Defense;

2 (8) Hawaiian home lands;

3 (9) Health;

4 (10) Human resources development;

5 (11) Human services;

6 (12) Labor and industrial relations;

7 (13) Land and natural resources;

8 (14) Public safety;

9 (15) Taxation; and

10 (16) Transportation,

11 shall be reduced by five per cent from what the salary is as of

12 June 30, 2009, and shall remain at that salary rate until

13 ~~[December 31,]~~ June 30, 2013; provided that ~~[on January 1, 2014,~~

14 ~~the salaries of these positions shall be restored to the level~~

15 ~~they would have been on July 1, 2009, without the salary~~

16 ~~decrease under this Act; provided further that if any salary~~

17 ~~recommendations for these positions are made and are to take~~

18 ~~effect on or after January 1, 2014, by the commission on~~

19 ~~salaries, and the recommendations are not disapproved by the~~

20 ~~legislature, then the salary recommendations shall become~~

21 ~~effective on the date specified by the commission on salaries in~~

22 ~~accordance with its recommendations.]~~ the salary recommendations



1 of the 2006 commission on salaries for these positions effective
2 July 1, 2012, shall become effective on July 1, 2013.

3 (b) Notwithstanding any law to the contrary and
4 notwithstanding the recommendations of the commission on
5 salaries for salary increases, beginning July 1, 2009, and until
6 ~~[December 31,]~~ June 30, 2013, the annual salaries of members of
7 the legislature shall be reduced by five per cent from what the
8 salary is as of June 30, 2009; provided that the salary
9 recommendations of the 2006 commission on salaries for
10 legislators effective January 1, ~~[2014,]~~ 2013, shall become
11 effective on ~~[that date in accordance with the recommendations.]~~
12 July 1, 2013.

13 (c) For the period from July 1, 2009, to ~~[December 31,]~~
14 June 30, 2013, notwithstanding any law to the contrary, the
15 leaves of absence for vacation and sick leave, with pay, of
16 persons affected under subsections (a) and (b) shall be the same
17 as those negotiated, mediated, or arbitrated under chapter 89,
18 Hawaii Revised Statutes, for collective bargaining unit (13) ~~[~~
19 ~~provided that on January 1, 2014, the leaves of absence under~~
20 ~~this subsection shall be either: restored to the level they~~
21 ~~would have been on July 1, 2009, but for this subsection; or~~
22 ~~made commensurate with any salary adjustment recommended for any~~



1 ~~period on or after January 1, 2014, by the commission on~~
2 ~~salaries and not disapproved by the legislature].~~

3 (d) This section shall not be construed to impart any
4 right to additional compensation previously authorized through
5 the adoption of the commission on salaries' recommendations for
6 the period from January 1, 2009, through ~~[December 31,]~~ June 30,
7 2013 [~~for positions covered under subsections (a), and (b)].~~

8 (e) This section shall not be enforced to the extent that
9 it is preempted by federal law."

10 SECTION 2. Nothing in this Act shall limit or modify the
11 authority of future commissions on salaries to make salary
12 recommendations pursuant to article XVI, section 3.5, of the
13 Constitution of the State of Hawaii and section 26-56, Hawaii
14 Revised Statutes.

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

18

INTRODUCED BY:

Calvin K. King
By Request

JAN 13 2012



H.B. NO. 1799

Report Title:

Salaries; State Officials; Judges; Legislators; Judiciary
Package

Description:

Clarifies Act 57, Session Laws of Hawaii 2011, with regard to salary rates for executive, judicial, and legislative officials, to give effect to the recommendations of the commission on salaries.

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