



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 16, 2014

**GOV. MSG. NO. 1191**

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

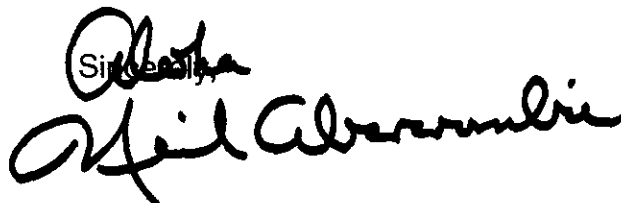
The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 16, 2014, the following bill was signed into law:

HB2257 HD2 SD2 CD1

RELATING TO DEPARTMENT OF EDUCATION  
SUPERINTENDENT'S SALARY  
**ACT 090 (14)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

Approved by the Governor

on JUN 16 2014

HOUSE OF REPRESENTATIVES  
TWENTY-SEVENTH LEGISLATURE, 2014  
STATE OF HAWAII

**ACT 090**  
**H.B. NO.** <sup>2257</sup>  
H.D. 2  
S.D. 2  
C.D. 1

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## A BILL FOR AN ACT

RELATING TO DEPARTMENT OF EDUCATION SUPERINTENDENT'S SALARY.

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

1           SECTION 1. The legislature finds that existing law  
2 authorizes the board of education to set the salary of the  
3 superintendent of education, but the salary cannot exceed a  
4 specific amount, referred to as a salary cap.

5           The legislature further finds that it is a challenge to  
6 recruit and fill this state leadership position because the  
7 statutory salary cap is not in alignment with national salary  
8 norms and therefore is not competitive with or in the range of  
9 the salaries of other similar administrative leadership  
10 positions at comparable school districts.

11           The legislature further finds that the statute governing  
12 the superintendent's salary has not been amended since 2000 and  
13 that the salary cap should be revised as a matter of equity, to  
14 account for cost of living increases.

15           Amending the current salary cap for the superintendent of  
16 education was based on a review of the mean salary of all  
17 superintendents across the country, the average annual cost of  
18 living increases indicated by the consumer price index, and the

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1 majority of superintendents' salaries across the country with  
2 student enrollment greater than twenty-five thousand. Hawaii's  
3 public schools enroll approximately 185,000 students.

4 The amendment to the salary cap will also provide the board  
5 of education with the flexibility it needs to attract and retain  
6 individuals to support a strong statewide public education  
7 system and the authority and latitude to establish the salary of  
8 this leadership position commensurate with various factors,  
9 including the breadth of responsibilities and duties of the  
10 position, the experience and skills the individual brings to the  
11 position, and the job performance of the individual.

12 The purpose of this Act is to provide the board of  
13 education, as the appointing body of the superintendent, with  
14 more flexibility to establish the salary of the superintendent,  
15 by raising the salary cap.

16 SECTION 2. Section 26-52, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 "§26-52 Department heads and executive officers. The  
19 salaries of the following state officers shall be as follows:

20 (1) The salary of the superintendent of education shall be  
21 set by the board of education at a rate no greater  
22 than [~~\$150,000~~] \$250,000 a year[+]. The



1 superintendent shall be subject to an annual  
2 performance evaluation that is in alignment with other  
3 employee evaluations within the department of  
4 education and are based on outcomes determined by the  
5 board of education; provided that nothing shall  
6 prohibit the board of education from conditioning a  
7 portion of the salary on performance;

8 (2) The salary of the president of the University of  
9 Hawaii shall be set by the board of regents;

10 (3) Effective July 1, 2004, the salaries of all department  
11 heads or executive officers of the departments of  
12 accounting and general services, agriculture, attorney  
13 general, budget and finance, business, economic  
14 development, and tourism, commerce and consumer  
15 affairs, Hawaiian home lands, health, human resources  
16 development, human services, labor and industrial  
17 relations, land and natural resources, public safety,  
18 taxation, and transportation shall be as last  
19 recommended by the executive salary commission.

20 Effective July 1, 2007, and every six years  
21 thereafter, the salaries shall be as last recommended



1 by the commission on salaries pursuant to section  
2 26-56, unless rejected by the legislature; and  
3 (4) The salary of the adjutant general shall be \$85,302 a  
4 year. Effective July 1, 2007, and every six years  
5 thereafter, the salary of the adjutant general shall  
6 be as last recommended by the commission on salaries  
7 pursuant to section 26-56, unless rejected by the  
8 legislature, except that if the state salary is in  
9 conflict with the pay and allowance fixed by the  
10 tables of the regular army or air force of the United  
11 States, the latter shall prevail."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval;  
15 provided that this Act shall be repealed on June 30, 2024, and  
16 section 26-52, Hawaii Revised Statutes, shall be reenacted in  
17 the form in which it read on the day prior to the approval date  
18 of this Act; provided further that any contracts entered into  
19 prior to June 30, 2024, shall remain in effect for the duration  
20 of the contract.

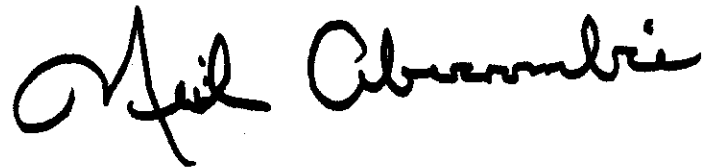


H.B. NO.

2257  
H.D. 2  
S.D. 2  
C.D. 1

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APPROVED this 16 day of JUN , 2014

A handwritten signature in black ink, reading "Neil Abernethy". The signature is written in a cursive style with a large initial "N".

GOVERNOR OF THE STATE OF HAWAII