

JAN 23 2009

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## 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. During these difficult  
4 economic times, members of the public have expressed concerns  
5 about the large increase in salary that State legislators are to  
6 receive in 2009. The current system gives a separate commission  
7 on salaries that is not sufficiently accountable to the public  
8 the power to increase legislative salaries. The Legislature  
9 believes that legislators should deliberate and vote upon their  
10 own changes in compensation as a means of making them more  
11 accountable to the members of the public whom they serve. This  
12 Act will abolish the current system of providing for salary  
13 increases, and will allow legislators to enact laws enabling  
14 them to deliberate and vote on their own changes in  
15 compensation, thus making legislators more accountable to the  
16 members of the public whom they serve. This Act will also allow



1 legislators to enact laws that will better address salary  
2 adjustments for other State officials and employees.

3 SECTION 2. Article XVI, section 3.5, of the Constitution of  
4 the State of Hawaii is repealed.

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

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

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



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

9       SECTION 3. The question to be printed on the ballot shall  
10 be as follows:

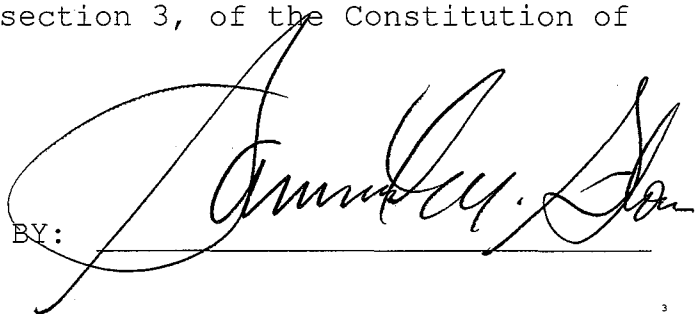
11       "Shall the commission on salaries be abolished in order to  
12 allow new laws to be enacted which shall: (1) require State  
13 legislators to deliberate and vote upon their own  
14 adjustments in compensation, and (2) address salary  
15 adjustments for other State officials and employees?"

16       SECTION 4. Constitutional material to be repealed is  
17 bracketed and stricken.

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

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INTRODUCED BY:



**Report Title:**

Abolition of Commission on Salaries; Constitutional Amendment

**Description:**

Repeals the constitutional provision creating the commission on salaries.

