
A BILL FOR AN ACT

RELATING TO SALARIES.

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

1 SECTION 1. The legislature finds that existing laws
2 authorize the board of education to set the salaries of the
3 superintendent of education, the state librarian, deputy
4 superintendent, assistant superintendents, and complex area
5 superintendents. However, the legislature also finds that the
6 board of education's flexibility in setting these salaries is
7 restricted by the statutory caps on these salaries.

8 The legislature finds that the salaries of the deputy
9 superintendent, assistant superintendents, and complex area
10 superintendents are capped by statute at a percentage of the
11 superintendent's salary. The legislature further finds that it
12 is a challenge to recruit and fill state and complex area
13 leadership positions because the salaries are not competitive
14 with or in the range of the salaries of other administrative
15 leadership positions at the school level. The cap on the
16 superintendent's salary was last established in 2000; the cap on
17 the state librarian's salary was last established in 2001.



1 The legislature finds that repealing the salary caps of the
2 superintendent of education, state librarian, deputy
3 superintendent, assistant superintendent, and complex area
4 superintendent positions will provide the board of education
5 with the authority and latitude to establish these leadership
6 position salaries commensurate with various factors, including
7 the breadth of responsibilities and duties of those positions,
8 and the experience and skills the individuals bring to their
9 respective positions. Furthermore, the legislature finds that
10 repealing the salary caps will also provide the board of
11 education with the flexibility it needs to attract and retain
12 individuals to support a strong statewide public education
13 system and statewide public library system.

14 The purpose of this Act is to authorize the board of
15 education, as the appointing body of the superintendent and
16 state librarian, with full flexibility to establish the salaries
17 of the superintendent and the state librarian, as well as the
18 deputy superintendent, assistant superintendents, and complex
19 area superintendents, by repealing the salary caps on these
20 state and complex area leadership positions.

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



1 "§26-52 Department heads and executive officers. The
2 salaries of the following state officers shall be as follows:

3 (1) The salary of the superintendent of education shall be
4 set by the board of education [~~at a rate no greater~~
5 ~~than \$150,000 a year~~];

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

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

18 Effective July 1, 2007, and every six years
19 thereafter, the salaries shall be as last recommended
20 by the commission on salaries pursuant to section
21 26-56, unless rejected by the legislature; and



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

10 SECTION 3. Section 302A-621, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§302A-621 Salary; deputy superintendent, assistant**
13 **superintendents, complex area superintendents.** The salaries of
14 the deputy superintendent, assistant superintendents, and
15 complex area superintendents shall be set by the board[+
16 ~~provided that the salaries of the deputy superintendent,~~
17 ~~assistant superintendents, and the complex area superintendents~~
18 ~~shall not exceed eighty per cent of the superintendent's~~
19 ~~salary]."~~

20 SECTION 4. Section 312-2.1, Hawaii Revised Statutes, is
21 amended by amending subsection (b) to read as follows:



1 "(b) The salary of the state librarian shall be set by the
2 board of education [~~at a rate no greater than \$120,000 a year~~]."

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval.

6

INTRODUCED BY: *T. Stahl*

JAN 21 2010

Report Title:

Education; Repeal Salary Caps

Description:

Repeals the salary caps of the superintendent, state librarian, and other state and complex area leadership positions specified under section 302A-621, Hawaii Revised Statutes.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

