

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO COMMISSION ON SALARIES.

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

1           SECTION 1. Section 26-56, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) The commission shall review and recommend an  
4 appropriate salary for the governor, lieutenant governor,  
5 members of the legislature, justices and judges of all state  
6 courts, administrative director of the courts, deputy  
7 administrative director of the courts, administrative director  
8 of the State or an equivalent position, and department heads or  
9 executive officers and the deputies or assistants to the  
10 department heads of the departments of:

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



- 1 (9) Health;
- 2 (10) Human resources development;
- 3 (11) Human services;
- 4 (12) Labor and industrial relations;
- 5 (13) Land and natural resources;
- 6 (14) Public safety;
- 7 (15) Taxation; and
- 8 (16) Transportation.

9 The commission shall not review the salary of any position  
10 in the department of education or the University of Hawaii.

11 The commission may recommend different salaries for  
12 department heads and executive officers and different salary  
13 ranges for deputies or assistants to department heads; provided  
14 that the commission shall recommend the same salary range for  
15 deputies or assistants to department heads within the same  
16 department; provided further that the appointing official shall  
17 specify the salary for a particular position within the  
18 applicable range.

19 The commission shall not recommend salaries lower than  
20 salary amounts recommended by prior commissions replaced by this  
21 section."



1 SECTION 2. Section 601-3, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending subsection (a) to read:

4 "(a) The chief justice, with the approval of the supreme  
5 court, shall appoint an administrative director of the courts to  
6 assist the chief justice in directing the administration of the  
7 judiciary. The administrative director shall be a resident of  
8 the State for a continuous period of three years prior to the  
9 administrative director's appointment, and shall be appointed  
10 without regard to chapter 76 and shall serve at the pleasure of  
11 the chief justice. The administrative director shall hold no  
12 other office or employment. Effective July 1, 2004, the salary  
13 of the administrative director shall be as last recommended by  
14 the judicial salary commission. Effective July 1, [~~2007,~~] 2013,  
15 and every six years thereafter, the salary shall be as last  
16 recommended by the commission on salaries pursuant to section  
17 26-56, unless disapproved by the legislature.

18 2. By amending subsection (c) to read:

19 "(c) The administrative director, with the approval of the  
20 chief justice, shall appoint a deputy administrative director of  
21 the courts without regard to chapter 76 and such assistants as  
22 may be necessary. The assistants shall be appointed without



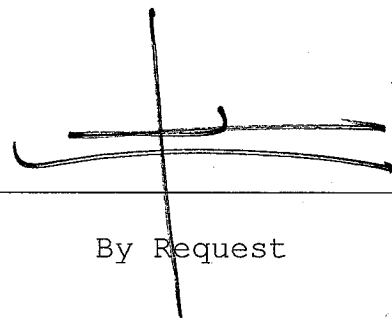
1 regard to chapter 76. Effective July 1, 2000, the salary of the  
2 deputy administrative director shall be no greater than provided  
3 in section 26-52(3) and shall be determined by the chief justice  
4 based upon merit and other relevant factors. Effective July 1,  
5 2004, the salary of the deputy administrative director shall be  
6 as last recommended by the judicial salary commission.  
7 Effective July 1, 2013, and every six years thereafter, the  
8 salary shall be as last recommended by the commission on  
9 salaries pursuant to section 26-56, unless disapproved by the  
10 legislature. The administrative director shall be provided with  
11 necessary office facilities."

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 ratification of  
15 a constitutional amendment requiring the commission on salaries  
16 to review and recommend salaries for the administrative director  
17 of the courts and the deputy administrative director of the  
18 courts.

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INTRODUCED BY: \_\_\_\_\_

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By Request



**Report Title:**

Commission on Salaries; Judiciary Administrators' Salaries

**Description:**

Requires the commission on salaries to review and recommend salaries for the administrative director and deputy administrative director of the courts, effective 7/1/13, contingent upon passage of related constitutional amendment.

