

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 1744

H.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred H.B. No. 1744, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMPENSATION,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify the time periods of the salary increase moratorium and salary reductions for legislators, justices, judges, and certain Executive Branch positions that were established by Act 85, Session Laws of Hawaii 2009, as amended by Act 57, Session Laws of Hawaii 2011.

Specifically, this measure:

- (1) Specifies that the salary reductions are effective through June 30, 2013;
- (2) Deletes provisions relating to the restoration of salaries to what they would have been on July 1, 2009, but for the salary reductions provided under Act 85, Session Laws of Hawaii 2009, as amended by Act 57, Session Laws of Hawaii 2011; and
- (3) Deletes provisions relating to the salary commission that convenes in 2012 as unnecessary, inasmuch as existing provisions set forth the scope of the Commission's mandate.



Your Committee received testimony in support of this measure from the Judiciary.

Your Committee finds that Act 57, Session Laws of Hawaii 2011, establishes July 1, 2009, through December 31, 2013, as a salary reduction period for all positions under that Act, but applies different salary provisions to those positions after that period. Furthermore, Act 57 also extends the five percent salary reduction until December 31, 2013, for all salaries, but does not address the impact of the reductions on the recommendations to be made by the Commission on Salaries relating to executive and judicial salaries for the period July 1, 2013, through December 31, 2013, thus creating a period of potential conflict between the salaries in effect pursuant to Act 57 and the salaries recommended by the Commission on Salaries that convenes in 2012. This measure clarifies the end date for the salary increase moratorium and salary reductions for legislators, justices, judges, and certain Executive Branch positions that were established by Act 85, Session Laws of Hawaii 2009, as amended by Act 57, Session Laws of Hawaii 2011, to be June 30, 2013.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1744, H.D. 1, and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Labor and Ways and Means,



DAVID Y. IGE, Chair



CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1744 HDI	JDL/WAM	4-3-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado	/			
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			/
RYAN, Pohai	/			
TOKUDA, Jill N.				/
WAKAI, Glenn			/	/
SLOM, Sam			/	
TOTAL	10	0	1	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes