

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO THE OFFICE OF THE LIEUTENANT GOVERNOR.

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

1           SECTION 1. The legislature finds that the lieutenant  
2 governor resides on a neighbor island, thereby regularly  
3 incurring work-related expenses by traveling to Oahu to conduct  
4 the lieutenant governor's official duties. The intent of this  
5 Act is to ensure fairness to any neighbor island person who  
6 wishes to work in the position of lieutenant governor. The  
7 purpose of this Act is to provide an allowance for expenses for  
8 a lieutenant governor whose legal residence is on an island  
9 other than Oahu, which is to be separate from and in addition to  
10 the salary of the lieutenant governor.

11           SECTION 2. Section 26-1, Hawaii Revised Statutes, is  
12 amended to read as follows:

13           "§26-1 Office of the lieutenant governor. (a) Except as  
14 otherwise provided by law, the lieutenant governor is designated  
15 the secretary of state for intergovernmental relations and shall  
16 perform the duties and functions heretofore exercised by the  
17 secretary of Hawaii. The duties and functions shall include,  
18 but not be limited to, recordation of all legislative and



1 gubernatorial acts, certification of state documents, and  
2 maintenance of an official file of rules adopted by state  
3 departments as provided in chapter 91. The lieutenant governor  
4 may employ staff as necessary without regard to chapter 76.

5 (b) The lieutenant governor, with the approval of the  
6 governor, may designate some other officer of the government of  
7 the State to authenticate documents on behalf of the lieutenant  
8 governor during the lieutenant governor's temporary absence  
9 outside the State or during the lieutenant governor's illness  
10 whenever the documents require the signature of the lieutenant  
11 governor. The person shall affix the person's own signature to  
12 the document with the words, "for the lieutenant governor"  
13 following and the signature shall be deemed to satisfy the  
14 requirement of the lieutenant governor's signature on the  
15 document. The designation and approval shall be in writing and  
16 shall be filed in the office of the governor and a copy thereof,  
17 certified by the governor, shall be filed with the public  
18 archives. The person so designated shall serve without  
19 additional compensation and the lieutenant governor shall be  
20 responsible and liable on the lieutenant governor's official  
21 bond for all acts done by the person so designated in the  
22 performance of the duties on behalf of the lieutenant governor.



1 (c) Nothing in this section shall be construed to  
2 authorize the person to exercise and discharge the powers and  
3 duties of the office of the governor as provided by the first  
4 paragraph of Article V, section 4, of the Constitution of the  
5 State. The person shall not be authorized to exercise any  
6 powers whenever a successor to the lieutenant governor assumes  
7 the duties of the lieutenant governor pursuant to Article V,  
8 section 4, of the Constitution.

9 (d) In addition to the functions and duties provided by  
10 law, the lieutenant governor shall assume administrative  
11 responsibility for the office of information practices.

12 (e) The governor shall identify and direct other duties as  
13 necessary to the lieutenant governor.

14 (f) A lieutenant governor whose legal residence is on an  
15 island other than Oahu who is required to remain away from the  
16 island of the lieutenant governor's legal residence but within  
17 the State overnight or longer while on official business shall  
18 receive an allowance to cover personal expenses such as  
19 transportation, board, lodging, and incidental expenses. The  
20 allowance authorized under this section shall be set at a single  
21 rate that shall:



1        (1) Not exceed the greater of the maximum allowance for  
2                    such expenses payable to any public officer or  
3                    employee of the federal government or the State; and

4        (2) Be reasonably calculated to cover the expenses  
5                    specified in this section.

6        (g) The allowance authorized under this section shall be  
7        in addition to and shall not supplant any portion of the salary  
8        of the lieutenant governor determined pursuant to section 26-51.  
9        The allowance shall be paid out of any available appropriation  
10       made by the legislature for expenses, other than the salary, of  
11       the lieutenant governor."

12       SECTION 3.    New statutory material is underscored.

13       SECTION 4.    This Act shall take effect upon its approval.

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INTRODUCED BY:

~~Sen. Carlos...~~  
J. Kalani Ghosh

Randy H. Park

Jose Mercado

Jim



S.B. NO. 1268

*Michelle Fedini*



# S.B. NO. 1268

**Report Title:**

Lieutenant Governor; Allowance for Expenses

**Description:**

Permits a lieutenant governor whose legal residence is on an island other than Oahu who is required to remain away from the island of the lieutenant governor's legal residence but within the State overnight or longer while on official business to receive an allowance to cover personal expenses such as transportation, board, lodging, and incidental expenses, that is to be separate from the lieutenant governor's salary.

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

