



GOV. MSG. NO 870

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 8, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith SB1526 SD2 HD3 CD1, without my approval, and with the statement of objections relating to the measure.

SB1526 SD2 HD3 CD1

A BILL FOR AN ACT RELATING TO JUDICIARY.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1526

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval Senate Bill No. 1526 entitled "A Bill for an Act Relating to Judiciary."

The purpose of this bill is to specify the salary ranges effective on July 1, 2008 for the Administrative Director of the Courts and the Deputy Administrative Director of the Court, with the Chief Justice of the Supreme Court of the State of Hawaii authorized to determine the actual salaries. The salaries for these positions were excluded from the salary review by the Commission on Salaries established by section 26-56, Hawaii Revised Statutes, pursuant to Section 3.5 of Article XVI of the State Constitution.

This bill is objectionable because of the disproportionate increases it would give to two people while the residents of this state are facing times of economic uncertainty. The bill grants the Chief Justice discretion to set the salary of the Administrative Director of the Courts within the salary range of \$120,000 to \$150,000, effective July 1, 2008. This would amount to a 6.7% to 30.5% increase for the current incumbent. The bill also gives the Chief Justice discretion to determine the salary of the Deputy Administrative Director of the Courts within a range of \$115,000 to \$140,000, effective July 1, 2008. This would be a 7.9% to 30.2% increase

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for the person who holds this position.

By comparison, many of Hawaii's own residents are facing de facto wage decreases due to increases in basic living expenses, including food, fuel, and rent. Some have recently lost their jobs and the State is working diligently to assist these families and individuals as they seek new employment. To dramatically increase the salary of two government officials whose duties and responsibilities have not changed could be interpreted as callous to the challenges ordinary people are facing.

Even with a veto of this measure, these two people will still receive a 3.5% pay raise effective July 1, 2008, raising their pay to \$116,416 for the Administrator and \$110,872 for the Deputy Administrator.

It should be noted that the amendment to Article XVI, Section 3.5 of the State Constitution, ratified in November of 2006, should have included the Director and Deputy Administrative Director of the Courts. The voters have an opportunity to correct this oversight by approving a 2008 ballot measure to convene a Constitutional Convention.

For the foregoing reasons, I am returning Senate Bill No. 1526 without my approval.

Respectfully,



LINDA LINGLE
Governor of Hawaii

A BILL FOR AN ACT

RELATING TO JUDICIARY.

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

1 SECTION 1. 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~~] state for a continuous period of three years prior
9 to the administrative director's appointment, [~~and~~] shall be
10 appointed without regard to chapter 76, and shall serve at the
11 pleasure of the chief justice. The administrative director
12 shall hold no other office or employment. Effective July 1,
13 2004, the salary of the administrative director shall be as last
14 recommended by the judicial salary commission. Effective
15 July 1, [~~2007, and every six years thereafter,~~] 2008, the salary
16 shall be [~~as last recommended by the commission on salaries~~
17 ~~pursuant to section 26-56, unless disapproved by the~~



1 ~~legislature.]~~ an annual amount no less than \$120,000 and no
2 greater than \$150,000, as determined by the chief justice."

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

4 "(c) The administrative director, with the approval of the
5 chief justice, shall appoint a deputy administrative director of
6 the courts without regard to chapter 76 and such assistants as
7 may be necessary. The assistants shall be appointed without
8 regard to chapter 76. [~~Effective July 1, 2000, the salary of the~~
9 ~~deputy administrative director shall be no greater than provided~~
10 ~~in section 26 52(3) and shall be determined by the chief justice~~
11 ~~based upon merit and other relevant factors.] Effective July 1,
12 2004, the salary of the deputy administrative director shall be
13 as last recommended by the judicial salary commission. Effective
14 July 1, 2008, the salary of the deputy administrative director
15 shall be an annual amount no less than \$115,000 and no greater
16 than \$140,000, as determined by the chief justice. The
17 administrative director shall be provided with necessary office
18 facilities."~~

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 3. This Act shall take effect on July 1, 2008.

