JAN 23 2009

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE SALARY COMMISSION.

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

- 1 SECTION 1. The purpose of the Act is to propose an
- 2 amendment to article XVI, section 3.5, of the Constitution of
- 3 the State of Hawaii to give the legislature broader authority to
- 4 disapprove the recommendations by the salary commission with
- 5 respect to salary increases for the current legislature.
- 6 SECTION 2. Article XVI, section 3.5, of the Constitution
- 7 of the State of Hawaii is amended to read as follows:

8 "SALARY COMMISSION

- 9 Section [+]3.5[+]. There shall be a commission on salaries
- 10 as provided by law, which shall review and recommend salaries
- 11 for the justices and judges of all state courts, members of the
- 12 legislature, department heads or executive officers of the
- 13 executive departments and the deputies or assistants to
- 14 department heads of the executive departments as provided by
- 15 law, excluding the University of Hawaii and the department of
- 16 education. The commission shall also review and make
- 17 recommendations for the salary of the administrative director of



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- ${f 1}$ the State or equivalent position and the salary of the governor
- 2 and the lieutenant governor.
- 3 Any salary established pursuant to this section shall not
- 4 be decreased during a term of office, unless by general law
- 5 applying to all salaried officers of the State.
- 6 Not later than the fortieth legislative day of the 2007
- 7 regular legislative session and every six years thereafter, the
- 8 commission shall submit to the legislature its recommendations
- 9 and then dissolve.
- 10 The recommended salaries submitted shall become effective
- 11 as provided in the recommendation, unless the legislature
- 12 disapproves the entire recommendation as a whole by adoption of
- 13 a concurrent resolution prior to adjournment sine die of the
- 14 legislative session in which the recommendation is submitted[+
- 15 provided that any]. The legislature may suspend the legislative
- 16 salary recommendations by a two-thirds vote of both houses;
- 17 provided that the suspension shall only apply to the legislature
- 18 in session at the time of the vote. Any change in salary which
- 19 becomes effective shall not apply to the legislature to which
- 20 the recommendation for the change in salary was submitted."
- 21 SECTION 3. The question to be printed on the ballot shall
- 22 be as follows:

SB LRB 09-0414(A).doc

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1	"Shall the legislature be given the authority by a two-
2	thirds vote of both houses to suspend legislative salary
3	recommendations of the salary commission as applied to the
4	legislature in session at the time of the vote?"
5 .	SECTION 4. Constitutional material to be repealed is
6	bracketed and stricken. New constitutional material is
7	underscored.
8	SECTION 5. This amendment shall take effect upon
9	compliance with article XVII, section 3, of the Constitution of
10	the State of Hawaii.
11	
	INTRODUCED BY: / / / / / / / / / / / / / / / / / / /

Report Title:

Constitutional Amendment; Salary Commission; Legislative Salary

Description:

Proposes constitutional amendment allowing the legislature to suspend the increase in legislative salaries as recommended by the salary commission for the current legislature. Limits applicability of suspension to the legislature in session at time of vote.