

JAN 23 2026

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 3.5, OF THE CONSTITUTION OF THE STATE OF HAWAII TO ESTABLISH SALARY INCREASE LIMITS FOR JUSTICES AND JUDGES OF ALL STATE COURTS, MEMBERS OF THE LEGISLATURE, DEPARTMENT HEADS OR EXECUTIVE OFFICERS OF EXECUTIVE DEPARTMENTS AND THE DEPUTIES OR ASSISTANTS TO DEPARTMENT HEADS OF THE EXECUTIVE DEPARTMENTS.

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

1 SECTION 1. The legislature finds that public trust in
2 government is strengthened when compensation policies for public
3 officials are transparent, restrained, and aligned with the
4 economic realities faced by the broader public workforce.
5 Significant disparities between salary increases granted to
6 public officials and those received by rank-and-file public
7 employees undermine perceptions of fairness, equity, and fiscal
8 responsibility.

9 Accordingly, the purpose of this constitutional amendment
10 is to ensure that salary adjustments approved by the salary
11 commission for public officials are reasonable, predictable, and
12 consistent with the average salary increases negotiated through
13 collective bargaining for public employees, while also



1 establishing an upper limit on annual increases to protect the
2 public interest.

3 SECTION 2. Article XVI, section 3.5, of the Constitution
4 of the State of Hawaii is amended to read as follows:

5 "SALARY COMMISSION

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

17 In setting or adjusting the salary of any public officer
18 within its jurisdiction, the salary commission shall adhere to
19 the following limitations:

20 (1) Any salary increase approved by the commission shall
21 not exceed the highest percentage increase provided to



1 employees of the State who are members of collective
2 bargaining units or five per cent, whichever is less; and
3 (2) In no event shall any salary increase approved by the
4 commission exceed five per cent for any fiscal year.

5 Nothing in this section shall be construed to prohibit the
6 salary commission from reducing salaries or approving no
7 increase.

8 Any salary established pursuant to this section shall not
9 be decreased during a term of office, unless by general law
10 applying to all salaried officers of the State.

11 Not later than the fortieth legislative day of the 2007
12 regular legislative session and every six years thereafter, the
13 commission shall submit to the legislature its recommendations
14 and then dissolve.

15 The recommended salaries submitted shall become effective
16 as provided in the recommendation, unless the legislature
17 disapproves the entire recommendation as a whole by adoption of
18 a concurrent resolution prior to adjournment sine die of the
19 legislative session in which the recommendation is submitted;
20 provided that any change in salary which becomes effective shall
21 not apply to the legislature to which the recommendation for the



1 change in salary was submitted. [Add HB 1917 (2006) and election
2 Nov 7, 2006]"

3 SECTION 3. The question to be printed on the ballot shall
4 be as follows:

5 "Shall the Constitution of the State of Hawai'i be amended
6 to require that salary increases for public officials set by the
7 Salary Commission ~~are~~ not to exceed the average salary increases
8 provided to unionized state employees and may not exceed five
9 per cent in any fiscal year?"

10 SECTION 3. New constitutional material is underscored.

11 SECTION 4. This amendment shall take effect upon
12 compliance with article XVII, section 3, of the Constitution of
13 the State of Hawaii.

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INTRODUCED BY: _____



S.B. NO. 2820

Report Title:

Constitutional Amendment; State Officials Salary Increase Cap

Description:

Proposes to amend article XVI, section 3.5 of the Hawaii State Constitution regarding the establishment of salary increase limits for justices and judges of all state courts, members of the Legislature, department heads or executive officers of executive departments, and the deputies or assistants to department heads of executive departments.

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