

**ACT 222**

H.B. NO. 1235

A Bill for an Act Relating to Travel Allowances.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 24-2, Hawaii Revised Statutes, is amended to read as follows:

**“§24-2 Allowance for non-Oahu legislator during session.** A member of the legislature whose legal residence is on an island other than Oahu shall receive an

additional allowance to cover all personal expenses such as board, lodging, and incidental expenses but not travel expenses. ~~[The allowance shall be equal to the maximum allowance for such expenses payable to any public officer or employee for interisland travel and shall be]~~ The allowance under this section shall be set at a single rate that will:

- (1) Not exceed the greater of the maximum allowance for such expenses payable to any public officer or employee of the federal government or the State;
- (2) Be reasonably calculated to cover the expenses specified in this section;  
and
- (3) Be determined jointly by the president of the senate and the speaker of the house of representatives for the legislature as a whole.

The allowance shall be paid to each member at the rate prescribed for each day, from the first to the last day of each session, including Saturdays, Sundays, holidays, and days of recess pursuant to the mandatory recess required by [Article] article<sup>1</sup> III, section 10, of the Constitution or a concurrent resolution, except for days of recess when a session of the legislature is recessed for more than three days pursuant to a concurrent resolution and for days of unexcused absence of the member from a meeting of the respective house."

SECTION 2. Section 24-3, Hawaii Revised Statutes, is amended to read as follows:

**“§24-3 Allowance for expenses while traveling on official legislative business during a session within the [State] state.** A member of the legislature whose legal residence is on the island of Oahu and who is required to remain away from the island of the member’s legal residence but within the [State] state overnight or longer while on official legislative business during a session and when authorized by the presiding officer of the respective house, shall receive an allowance to cover all personal expenses such as board, lodging, and incidental expenses but not travel expenses. ~~[Such allowance shall be equal to the maximum allowance for such expenses payable to any public officer or employee.]~~ The allowance under this section shall be set at a single rate that will:

- (1) Not exceed the greater of the maximum allowance for such expenses payable to any public officer or employee of the federal government or the State;
- (2) Be reasonably calculated to cover the expenses specified in this section;  
and
- (3) Be determined jointly by the president of the senate and the speaker of the house of representatives for the legislature as a whole.”

SECTION 3. Section 24-4, Hawaii Revised Statutes, is amended to read as follows:

**“§24-4 Allowance for expenses while on official legislative business during period of recess and interim official legislative business.** When a session of the legislature is recessed for more than three days pursuant to a concurrent resolution or for any interim official legislative business, a member of the legislature while on official legislative business on the island of the member’s legal residence and when authorized by the presiding officer of the respective house, shall receive an allowance of \$10 a day to cover personal expenses.

When a session of the legislature is recessed for more than three days pursuant to the mandatory recess required by [Article] article III, section 10, of the

Constitution or a concurrent resolution or for any interim official legislative business, a member of the legislature who is required to remain away from the island of the member's legal residence but within the [State] state overnight or longer while on official legislative business and when authorized by the presiding officer of the respective house, shall receive an allowance to cover all personal expenses such as board, lodging, and incidental expenses but not travel expenses. ~~[Such allowance shall be equal to the maximum allowance for such expenses payable to any public officer or employee.]~~ The allowance under this section shall be set at a single rate that will:

- (1) Not exceed the greater of the maximum allowance for such expenses payable to any public officer or employee of the federal government or the State;
- (2) Be reasonably calculated to cover the expenses specified in this section;  
and
- (3) Be determined jointly by the president of the senate and the speaker of the house of representatives for the legislature as a whole."

SECTION 4. Section 24-5, Hawaii Revised Statutes, is amended to read as follows:

**“§24-5 Allowance for expenses while traveling on official legislative business without the [State] state.** A member of the legislature while traveling without the [State] state on official legislative business and when authorized by the presiding officer of the respective house, shall receive an allowance to cover all personal expenses, such as board, lodging, and incidental expenses but not travel expenses. ~~[Such allowance shall be equal to the maximum allowance for such expenses payable to any public officer or employee and shall be]~~ The allowance under this section shall be set at a single rate that will:

- (1) Not exceed the greater of the maximum allowance for such expenses payable to any public officer or employee of the federal government or the State;
- (2) Be reasonably calculated to cover the expenses specified in this section;  
and
- (3) Be determined jointly by the president of the senate and the speaker of the house of representatives for the legislature as a whole.

The allowance shall be in addition to the allowance [which] that the member may be entitled to receive under section 24-2.”

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on January 18, 2006.

(Became law on July 12, 2005, without the Governor's signature, pursuant to Art. III, §16, State Constitution.)

**Note**

1. Should be underscored.