

COMMISSION ON LEGISLATIVE SALARY

1971, 1975 & 1978

The Hawaii State Constitution, as amended in 1968, authorized the creation of a legislative salary commission to recommend a salary plan for members of the State Legislature. Article III, Section 10, states:

"The members of the legislature shall receive allowances reasonably related to expenses and a salary, as prescribed by law. Any change in salary shall not apply to the legislature that enacted the same.

There shall be a commission on legislative salary, which shall be appointed by the governor on or before June 1, 1971, and every four years after the first commission is appointed. Within sixty days after its appointment the commission shall submit to the legislature recommendations for a salary plan for members of the legislature and then dissolved."

In compliance with this amendment, Commissions were formed in 1971 and 1975.

Another 1968 amendment to the Constitution set the salary of each member of the legislature at \$12,000 a year, until otherwise provided by law (Article XII, Section 7).

In 1978 the Hawaii State Constitution was amended to establish a new 1978 Commission on Legislative Salary. Article III, Section 9, states:

"...There shall be a commission on legislative salary, which shall be appointed by the governor on or before November 30, 1978, and every eight years thereafter. Not later than the fortieth legislative day of the 1979 regular legislative session and every eight years thereafter, the commission shall submit to the legislature and the governor recommendations for a salary plan for members of the legislature, and then dissolve. The salary plan submitted shall become effective as provided in the plan unless the legislature disapproved the plan by adoption of a concurrent resolution prior to adjournment sine die of the legislative session in which the plan is submitted or the governor disapproves the plan by a message of disapproval transmitted to the legislature prior to such adjournment. Any change in salary which becomes effective shall not apply to the legislature to which the recommendation for the change in salary was submitted."

All three Commissions received administrative, research and clerical assistance from the Governor's Office, the Legislative Reference Bureau and other state agencies. They all solicited written and oral testimony concerning legislative salary at public hearings conducted throughout the State and all used mailing lists to notify community organizations of scheduled public hearings. And as mandated by the State Constitution, they submitted their recommendations to the legislature.

1971 Commission

The 1971 Commission members were D. Hebden Porteus, chairman, Dorothy Bremner, Stuart Ho, Andrew T.F. Ing, Walter Kupau, Momi Minn Lee, Roger MacArthur, Barney Menor and Harold Shin, who replaced Eddie DeMello.

Five Commission meetings were held from June 9, 1971 to July 31, 1971. All meetings were in the Senate Majority Caucus Room of the State Capitol.

Public hearings were held at the State Capitol Auditorium on June 23, Leeward Community College on June 24, the Kauai Public Library in Lihue on July 1, Hilo College on July 7, Hale Halawai Park in Kailua-Kona on July 8, the State Office Building in Wailuku on July 14, and the State Capitol Auditorium on July 22, 1971.

The 1971 Commission recommended that the salary received by a legislator should vary according to his length of legislative service. The recommended salary would range from \$12,000 for a legislator with 0-2 years of legislative service up to \$15,000 for a legislator with 7 and over years of legislative service.

The Commission also recommended that the President of the Senate and the Speaker of the House of Representative should each receive an additional \$3,000 annually.

These recommendations were never implemented. Each state legislator continued to receive an annual salary of \$12,000.

1975 Commission

Patricia K. Putnam, chairperson, Edwin L. Carter, Van Horn Diamond, Robert G. Girald, Bishop Lani Hanchett, Michael Hare, Stuart Ho, Melvia Kawashima, Peter Lewis and Lena Reverio were the members of the 1975 Commission.

The Commission conducted seven business meetings during June and July, 1975. All meetings were in the State Capitol's Senate Conference Room #5.

Ten public hearings were convened to receive testimony during June and July, 1975. Six hearings were on Oahu, two were on the Big Island and single hearings were held on Maui and Kauai.

The majority on the 1975 Commission recommended that each member of the legislature should receive an annual salary of \$17,000 and, unlike the 1971 Commission, the majority on the Commission did not believe that a higher salary for the Speaker of the House of Representatives and the President of the Senate was warranted.

This recommended salary plan was never implemented.

1978 Commission

The members of the 1978 Commission were D. Hebden Porteus, chairman, Besty A. Castillo, Robert B. Crowell, Joseph J. Franco, Gerald Hennings, Jerry Hess, Richard Kosaki, Rev. Nelson Y.C. Kwon, Myrtle Mokiao, Connie Smales and Hannibal M. Tavares.

Seven Commission meetings were held in the Governor's Office Conference Room in the State Capitol during February and March, 1979.

Of a total of seven public hearings, three were held on Oahu, one on Kauai, one on Maui, and two on the island of Hawaii. All public hearings were conducted in February and March, 1979.

This Commission submitted to the 1979 State Legislature a salary plan with a regular portion and an optional incentive portion.

Under the regular portion of the salary plan the Commission proposed that, commencing after the General Election of 1980, each legislator would receive \$13,650 per year; most of it to be paid during the months of February, March and April. The Commission also proposed that after the General Election of 1984, the salary of a legislator should be \$15,000 a year with amounts of \$3,850 to be paid in February, March and April and the remaining sum to be paid in equal amounts during the other nine months of the year.

The optional portion of the salary plan was to be voluntary on the part of the legislature. The idea behind the optional plan was that if the legislature could pass a Legislative Appropriations Act which cost less than the scheduled amount for proposed legislative budgets formulated by the Commission, then each legislator would receive a portion of the difference between the two amounts.

For a more complete explanation of the salary plan consult the Report of the 1978 Commission on Legislative Salary.

Because of the amendments to the State Constitution, adopted in 1978, unless the legislature or the governor disapproved, this recommended salary plan was to take effect. As neither the legislature nor the governor disapproved of the plan, the annual salary for a legislator increased from \$12,000 to \$13,650 after the General Election of 1980 and then increased to \$15,600 after the General Election of 1984.

In 1984, the combined adoption of an amendment to Article III, Section 9 of the State Constitution and Act 171, Session Laws of Hawaii 1984 (which added Chapter 24 Section 24-1.5 to the Hawaii Revised Statutes) provided legal authorization to allow the annual salary of any legislator to be paid in equal amounts, beginning with the first pay period for state employees in November of the year the legislator is elected.

The next legislative salary commission is scheduled to be appointed by the Governor on or before November 30, 1986.

INVENTORY~~(1 1/2 cu. ft., location F-19)~~

All records are in Box COM23-1

1971 Commission

- Folder #1: Minutes of Meetings
- Folder #2: Public Hearing Notices and Testimonies
- Folder #3: Public Hearing Transcripts
- Folder #4: Report of the 1971 Commission on Legislative Salary
- Folder #5: Correspondences and Mailing List
- Folder #6: Research materials from the Legislative Reference Bureau
- Folder #7: Newspaper clippings

(Note: Audio Tapes of Public Hearings were discarded because they duplicate the written records.)

1975 Commission

I. Folders

- A. Folder #1: Public Hearing Notices
- B. Folder #2: Minutes of Meetings (summaries), Public Hearing Minutes (summaries), Official Correspondences
- C. Folder #3: Public Hearing Testimonies
- D. Folder #4: Report of the 1975 Commission on Legislative Salary
- E. Folder #5: Research Materials
- F. Folder #6: Business Correspondences and Mailing List
- G. Folder #7: Newspaper Clippings

II. Audio Tapes (15 tapes)

- A. Commission meeting: June 12 (1 tape)
- B. Commission meeting: June 23 (2 tapes)
- C. Commission meeting: July 16 (1 tape)
- D. Commission meeting: July 23 (1 tape)
- E. Commission meeting: July 23 & 25 (1 tape)
- F. Commission meeting: July 25 & 29 (1 tape)
- G. Public Hearing #1 (1 tape)
- H. Public Hearing #2 (1 tape)
- I. Public Hearing #3 & 4 (1 tape)
- J. Public Hearing #4 & 5 (1 tape)
- K. Public Hearing #5 & 6 (1 tape)
- L. Public Hearing #6 (1 tape)
- M. Public Hearing #7 & 8 (1 tape)
- N. Public Hearing #9 & 10 (1 tape)

1978 Commission

- Folder #1: Notices of Meetings and Public Hearings
- Folder #2: Minutes of Meetings (with attachments)
- Folder #3: Public Hearing Minutes and Testimonies
- Folder #4: Report of the 1978 Commission on Legislative Salary
- Folder #5: Record of Attendance
- Folder #6: Correspondences
- Folder #7: Newspaper Clippings