

Agenda Item VIII.D, Board Action on proposed legislation to amend the statutory salary cap for the state librarian, as provided for in Section 312-2.1, Hawaii Revised Statutes

General Business Meeting

August 16, 2016

At its October 21, 2014 meeting, the Board of Education ("Board") approved the Human Resource Committee's recommendation to increase the State Librarian's salary cap to \$200,000. The Board's approval of the salary cap increase authorized the Board Chairperson to prepare a legislative proposal for submission to the Legislature. The Board's proposal was introduced as House Bill ("HB") 462 and Senate Bill ("SB") 853 during the 2015 legislative session, but both measures failed to pass. HB 462 passed the House Committee on Education but never received a hearing from the House Committee on Finance, and SB 853 never received any hearings.

The Board, guided by its previous decision to seek an increase to the State Librarian's salary cap, submitted to the Governor a legislative proposal identical to the 2015 proposal to be included in the Governor's package of legislative proposals for the 2016 legislative session. The proposal would have amended Hawaii Revised Statutes ("HRS") Section 312-2.1(b) to read as follows: "The salary of the state librarian shall be set by the board of education at a rate no greater than ~~[\$120,000]~~ \$200,000 a year."

However, the Governor requested that changes be made to tie the State Librarian's salary to, or made a percentage of, another statutory salary, such as the Superintendent's. According to staff from the Office of the Governor, the reason for this request was to establish more structure and logic around the State Librarian's salary, similar to salaries determined by the Commission on Salaries. The request was not intended to "tie the hands" of the Board but rather to ensure a level of accountability so as to avoid maxing out the State Librarian's salary whenever the statutory cap is raised.

Because the Board could not meet early enough to make changes to its legislative proposal for inclusion in the Governor's 2016 package, the Governor submitted the Board's legislative proposal to the Legislature "as is" with the understanding that the Board would review the Governor's request and develop an amendment to the proposal that would be introduced through testimony to the relevant legislative committees.

At its January 19, 2016 general business meeting, the Board approved to submit testimony requesting that its legislative proposal be changed to request the following amendments to HRS Section 312-2.1(b): "The salary of the state librarian shall be set by the board of education [at a rate no greater than \$120,000 a year]; provided that the salary of the state librarian shall not exceed the superintendent's salary." The Board's original proposal was introduced in the 2016 legislative session as part of the Governor's package as HB 2337 and SB 2866, but both measures again failed to pass. HB 2337 passed the House Committee on Education but never received a hearing from the House Committee on Finance, and SB 2866 passed the Senate Committee on Education but never received a hearing from the Senate Committee on Ways and Means.

Based on previous action by the Board, another legislative proposal to increase the State Librarian's salary cap is attached, as **Exhibit A**, for the Board's consideration. Legislative proposals to be included in the Governor's package for the 2017 legislative session must be submitted in September 2016.

Exhibit A

Board of Education's draft legislative proposal relating to the State Librarian's salary cap

A BILL FOR AN ACT

RELATING TO THE STATE LIBRARIAN'S SALARY.

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

1 SECTION 1. The legislature finds that existing law
2 authorizes the board of education to set the salary of the state
3 librarian but the salary cannot exceed a specific amount, also
4 referred to as a salary cap.

5 The legislature further finds that it is a challenge to
6 recruit and fill this state leadership position because the
7 statutory salary cap is not in alignment with national salary
8 norms and therefore is not competitive with or in the range of
9 the salaries of other similar administrative leadership
10 positions at comparable library systems.

11 The legislature further finds that the statute governing
12 the state librarian's salary has not been amended since 2001 and
13 that the salary cap should be revised as a matter of equity, to
14 account for cost of living increases.

15 Amending the current salary cap for the state librarian was
16 based on a review of the salaries of library directors with
17 comparable budgets, population sizes, and number of employees
18 across the country. Salaries of similar positions in other

____.B. NO.____

1 states support the change to a higher salary cap. The state
2 librarian is responsible for a statewide district, whereas most
3 librarians are responsible for only a city or county.

4 The amendment to the salary cap will also provide the board
5 of education with more discretion in hiring, recruiting, and
6 retaining the top librarian for Hawaii's public libraries

7 The purpose of this Act is to provide the board of
8 education, as the appointing body of the state librarian, with
9 more flexibility to establish the salary of the state librarian,
10 by increasing the salary cap on the state librarian position.

11 SECTION 2. Section 312-2.1, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) The salary of the state librarian shall be set by the
14 board of education [~~at a rate no greater than \$120,000 a year.~~];
15 provided that the salary of the state librarian shall not exceed
16 the superintendent's salary."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

20

21 INTRODUCED BY: _____

22 BY REQUEST

23

____.B. NO.____

Report Title:

Librarian Salary

Description:

Increases the salary cap on the state librarian position

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