

ACT 28

An Act Relating to Compensation of Public Officers and Employees and Making Appropriations Therefor.

WHEREAS, section 11 of Article III of the Constitution of the State of Hawaii provides for the consideration and enactment in a budget session of all urgency measures deemed necessary in the public interest; and

WHEREAS, said section further provides that no urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in a section thereof and until such section shall have been first approved by each house; and

WHEREAS, it is the intention of the legislature to enact this as an urgency measure pursuant to said section 11 of Article III; now, therefore,

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Teachers, teaching principals, vice-principals, principals and other professional officers and employees of the Department of Education of the State have not received a general increase in salary range since September 1, 1959. All personnel of the University of Hawaii established by the Board of Regents pursuant to sections 44-8 and 44-10 of the Revised Laws of Hawaii 1955, and those public officers and employees of the State and its political subdivisions whose compensation is determined under Chapter 4 of the Revised Laws of Hawaii 1955, as amended, have not received a general increase in compensation since July 1, 1959. Since then, elective officials, head of departments and federal employees have received substantial increases in compensation. Also, the cost of living in this State has risen appreciably, and the economy of the State has grown rapidly and public revenues have risen sharply. It is in the public interest that the compensation of all the aforementioned personnel be increased to keep pace with increases received by others hereinbefore recited, and with increases in the cost of living, and that they share in the benefits from the growth of the economy of the State and the increase of public revenues. It is further in the public interest that a pay

increase be given immediately in order that the morale and efficiency of these personnel may be maintained at a high level.

SECTION 2. The term "base salary", whenever used in this Act shall apply only to those personnel in the Department of Education whose salaries are presently established under Chapter 38, Revised Laws of Hawaii 1955, as amended, and shall have the following meaning unless otherwise specified.

a. For teachers who are not receiving any differential, the base salary shall mean their compensation under the salary schedule existing prior to the enactment of this Act (hereinafter referred to as "existing schedule"), on the salary conversion date.

b. For teachers, principals, vice-principals, and other professional officers and employees who are receiving differential payments, the base salary shall mean the compensation under the existing schedule on the salary conversion date without such differential payments.

SECTION 3. a. Effective September 1, 1962, all teachers who are not receiving any differential payments (except Class I and II teachers who will be at the maximum step under the existing schedule on September 1, 1962), and whose compensations are determined under Section 38-31 of the Revised Laws of Hawaii 1955, as amended, are hereby granted an increase in compensation of five per cent on their base salaries as determined under Section 2 above, and shall then be converted into the new salary schedule (hereinafter referred as "new schedule") as set forth in Section 4 below.

b. Effective September 1, 1962, Class I and II teachers who are not receiving differential payments and who will be at the maximum salary step under the existing schedule on September 1, 1962, shall be increased to the maximum step of the appropriate salary range in the new schedule set forth in Section 4 below.

c. Effective September 1, 1962, all teachers, principals, vice-principals and other professional officers and employees, of the Department of Education, whose compensations are established under Sections 38-31, 38-35 and 38-38 of the Revised Laws of Hawaii 1955, as amended, are hereby granted an increase in compensation of five per cent on their base salaries as determined under Section 2 above. The differential payments which such persons would be receiving on September 1, 1962, but for the enactment of this Act, shall be added to their base salaries which have been increased by five per cent. Such persons shall then be converted into the new schedule as set forth in Section 4 below.

d. Each teacher, principal, vice-principal and other professional officer and employee in the Department of Education whose salary under the existing schedule exceeds the third longevity step of the new schedule shall continue to receive his present compensation until such time as he is reassigned to the salary range having a pay rate which exceeds his present compensation and upon such reassignment shall begin to qualify for the next increment or longevity step.

SECTION 4. a. Section 38-31 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read:

"Sec. 38-31. (a) **Teachers' Salary Schedule.** The teachers' salary schedule hereby established shall apply to all new and to all incumbent teachers of the Department of Education to be effective September 1, 1962, and shall be as follows:

**NEW TEACHERS' SALARY SCHEDULE FOR DEPARTMENT OF EDUCATION
INCREMENT STEPS**

Teachers' Salary Range										Longevity Steps		
	1	2	3	4	5	6	7	8	9	L-1	L-2	L-3
1	335	352	370	389	408	428	449	471	495	520	546	573
2	352	370	389	408	428	449	471	495	520	546	573	602
3	370	389	408	428	449	471	495	520	546	573	602	632
4	389	408	428	449	471	495	520	546	573	602	632	664
5	408	428	449	471	495	520	546	573	602	632	664	697
6	428	449	471	495	520	546	573	602	632	664	697	672*
7	449	471	495	520	546	573	602	632	664	697	732	769
8	471	495	520	546	573	602	632	664	697	732	769	807
9	495	520	546	573	602	632	664	697	732	769	807	847

* So in original.

b. Educational Officers' Salary Schedule. The educational officers' salary schedule hereby established shall apply to all new and all incumbent teaching principals, vice-principals, principals and other professional officers and employees of the Department of Education to be effective September 1, 1962, and shall be as follows :

Educational Officers' Salary Range										Longevity Steps		
	1	2	3	4	5	6				L-1	L-2	L-3
1	546	573	602	632	664	697				732	769	807
2	573	602	632	664	697	732				769	807	847
3	602	632	664	697	732	769				807	847	889
4	632	664	697	732	769	807				847	889	933
5	664	697	732	769	807	847				889	933	980
6	697	732	769	807	847	889				933	980	1029
7	732	769	807	847	889	933				980	1029	1080
8	769	807	847	889	933	980				1029	1080	1134
9	807	847	889	933	980	1029				1080	1134	1191
10	847	889	933	980	1029	1080				1134	1191	1251
11	889	933	980	1029	1080	1134				1191	1251	1314
12	933	980	1029	1080	1134	1191				1251	1314	1380
13	980	1029	1080	1134	1191	1251				1314	1380	1449
14	1029	1080	1134	1191	1251	1314				1380	1449	1521
15	1080	1134	1191	1251	1314	1380				1449	1521	1602
16	1134	1191	1251	1314	1380	1449				1521	1602	1682
17	1191	1251	1314	1380	1449	1521				1602	1682	1766
18	1251	1314	1380	1449	1521	1602				1682	1766	1854
19	1314	1380	1449	1521	1602	1682				1766	1854	1947
20	1380	1449	1521	1602	1682	1766				1854	1947	2044
21	1449	1521	1602	1682	1766	1854				1947	2044	2146

c. Effective September 1, 1962, substitute teachers shall be paid per day as follows:

Class I.....	\$15.00 per day
Class II.....	\$17.00 per day
Class III.....	\$20.00 per day"

b. Conversion from the existing schedule to the new schedule shall be effected on September 1, 1962, in the following manner:

1. Teachers:

(a) If the compensation determined under subsection 3(a) is at one of the increment steps in the appropriate salary range of the new schedule, his compensation shall be fixed at such step;

(b) If the compensation determined under subsection 3 (a) is within the appropriate salary range of the new schedule, but not at one of the increment steps fixed therein, his compensation shall be increased to that of the next higher increment step;

(c) Class I and II teachers whose increases are determined under subsection 3 (b) shall be placed in the appropriate new salary range in the new schedule at the maximum step and shall begin to qualify for longevity step increases as of September 1, 1962;

(d) No incumbent teachers' salary shall be reduced in converting into the new salary schedule. If the compensation determined under Section 3 is below that which a teacher is presently receiving, such teacher's salary shall be fixed at his present compensation and he shall continue to receive such compensation as long as he remains in the position or until such position is reassigned to a salary range having a maximum longevity step in excess of such compensation.

2. Educational Officer:

(a) If the compensation determined under subsection 3 (c) is at one of the increment steps in the appropriate salary range of the new schedule, his compensation shall be fixed at such step;

(b) If the compensation determined under subsection 3 (c) is within the appropriate salary range of the new schedule, but not at one of the increment steps fixed therein, his compensation shall be increased to the next higher increment step as the case may be;

(c) If the compensation determined under subsection 3 (c) is beyond the maximum increment step in the appropriate salary range of the new schedule but less than any of the longevity steps therein, his compensation shall be fixed and he shall begin to qualify for the next higher longevity step as of September 1, 1962, provided that he shall not be advanced to the next higher longevity step unless he completes 10 additional credits beyond those required for classification as educational officers;

(d) If the compensation determined under subsection 3 (c) is beyond the third longevity step of the appropriate salary range of the new schedule, his compensation shall be fixed at such amount and he shall continue to receive such compensation as long as he remains in the position or until such position is reassigned to a salary range having a maximum step in excess of such compensation, provided he completes the 10 additional credits beyond those required for classification as educational officers by September 1, 1969. If he does not meet such requirements, he shall receive a salary, beginning September 1, 1969, equal to step 6 of the salary range to which his class and position

are assigned and shall be advanced to the first longevity step when he has met the requirements for advancement to that step.

SECTION 5. Part III of Chapter 38, Revised Laws of Hawaii 1955, as amended, is hereby further amended, effective September 1, 1962, by adding thereto a new section to be appropriately numbered by the revisor of statutes and to read as follows:

“Sec. 38- . a. Teachers, teaching principals, vice-principals, principals and other professional officers and employees of the Department of Education upon rendering a year’s satisfactory service shall be entitled to an increase in compensation from that received during such year to that provided for by the next higher increment step in the salary range to which his position has been assigned.

b. Teachers and educational officers who have served satisfactorily for five years at the maximum step of the salary range to which their position has been assigned up to a maximum of fifteen years service shall receive longevity step increases; provided that educational officers shall not receive their first longevity step increase unless they complete 10 credits in their subject fields, preferably not in education courses, in addition to those required for classification as educational officers; and provided that any incumbent educational officer may receive up to ten credits for courses taken prior to September 1, 1962, which are in addition to those required for classification as educational officers.”

SECTION 6. Subsection (b) of Section 38-30 of the Revised Laws of Hawaii 1955 is hereby amended to read as follows:

“(b) Classification of teachers shall be as follows:

(1) Class I: Any teacher who holds a certificate based on less than four years of collegiate education is eligible for classification in this class.

(2) Class II: Any teacher who holds a certificate based on four acceptable years of collegiate education or who has a master’s degree, not in education, from an accredited institution of higher education is eligible for classification in this class.

(3) Class III: Any teacher who holds a certificate based on five acceptable years of collegiate education, including one year of graduate study, or who has a master’s degree, not in education, from an accredited institution of higher education, including credits in education acceptable to the department, is eligible for classification in this class.

(4) Vocational Agriculture Class I: Any teacher in Class I who is teaching vocational agriculture.

(5) Vocational Agriculture Class II: Any teacher in Class II who is teaching vocational agriculture.

(6) Vocational Agriculture Class III: Any teacher in Class III who is teaching vocational agriculture.

(7) Technical Class I: Any teacher in Class I who is teaching technical school courses.

(8) Technical Class II: Any teacher in Class II who is teaching technical school courses.

(9) Technical Class III: Any teacher in Class III who is teaching technical school courses.”

SECTION 7. Part III of chapter 38, Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new subsection to section 38-30 to read as follows:

“(c) Classification of educational officers shall be as follows: Educational officers shall include teaching principals, principals, vice-principals and professional officers and employees in the state and district offices of the department of education. Educational officers shall (i) meet the requirements for admission to Class III; (ii) have twenty additional credits beyond the credits required for admission to Class III; and (iii) have a minimum of five years of teaching experience; provided that educational officers who are not certificated employees shall meet similar requirements for academic preparation and professional experience, which requirements shall be established by the board of education. An educational officer in service prior to June 30, 1962, who does not meet these requirements, may continue to serve in his position, but shall not be advanced or promoted to a position in a class at a higher salary range than the one to which he is assigned, until he meets the requirements for educational officers.”

Teaching principals, principals, and vice-principals shall further be classified on the basis of the number of pupils under their supervision as follows:

	No. of pupils under super.
a. Teaching-principal.....	0 through 219
b. Principal I.....	220 through 749
c. Principal II.....	750 through 1499
d. Principal III.....	1500 and over
e. Vice Principal I.....	750 through 1499
f. Vice Principal II.....	1500 and over

SECTION 8. Part III of Chapter 38, Revised Laws of Hawaii 1955, as amended, is hereby further amended effective September 1, 1962 by adding thereto a new section to be appropriately numbered by the revisor of statutes and to read as follows:

“Sec. 38- . Salary ranges for teachers, teaching-principals, vice-principals, principal and other professional officers and employees of the Department of Education shall be based upon years of experience or other qualification, and be otherwise subject to the requirements of sections 6 and 7 of this Act and section 38-33, Revised Laws of Hawaii 1955, as amended, and shall be as follows:

POSITIONS—TEACHERS’ SALARY RANGE

TEACHERS.....	CLASS I	TSR 1
	CLASS II	TSR 2
	CLASS III	TSR 4
VOCATIONAL AGRICULTURE TEACHERS....	CLASS I	TSR 7
	CLASS II	TSR 8
	CLASS III	TSR 9
TECHNICAL SCHOOL TEACHERS.....	CLASS I	TSR 7
	CLASS II	TSR 7
	CLASS III	TSR 8

POSITIONS—EDUCATIONAL OFFICERS' SALARY RANGE

TEACHING PRINCIPAL.....	EOSR 2
VICE-PRINCIPAL I.....	EOSR 1
VICE-PRINCIPAL II.....	EOSR 2
PRINCIPAL I.....	EOSR 3
PRINCIPAL II.....	EOSR 4
PRINCIPAL III.....	EOSR 5
PROGRAM ASSISTANTS I.....	EOSR 3
PROGRAM ASSISTANTS II.....	EOSR 4
SUPERVISORS, OCCUPATIONAL INFORMATION.....	EOSR 4
SUPERVISORS, COUNSELING, TESTING, HEALTH SPEECH/HEARING.....	EOSR 5
SCHOOL PSYCHOLOGISTS.....	EOSR 6
PROGRAM SPECIALIST—STAFF SPECIALISTS— DEPUTY DISTRICT SUPERINTENDENTS.....	EOSR 7
STAFF SPECIALISTS—RESEARCH & STATISTICS— Administrators—Guidance, Special Education, Health, Technical Education & Adult Education, School and Library Facilities.....	EOSR 8
DISTRICT ADMINISTRATORS—Curriculum.....	EOSR 9
DIRECTORS—Vocational Post High School & Adult Education, Secondary, Elementary, Special Services, & Instructional Aid, School and Library Facilities.....	EOSR 10
ASSISTANT SUPERINTENDENTS FOR PERSONNEL.....	EOSR 10
SUPERVISING PRINCIPALS.....	EOSR 10
ASSISTANT SUPERINTENDENTS FOR BUSINESS— Senior Supervising Principals for Oahu Schools and Assistant Superintendent for Library Services.....	EOSR 11
DISTRICT SUPERINTENDENTS.....	EOSR 11
ASSISTANT SUPERINTENDENTS FOR CURRICULUM.....	EOSR 15

All TSR and EOSR salary ranges not indicated above are presently unoccupied.

SECTION 9. Section 38-3 of the Revised Laws of Hawaii 1955 is hereby amended by deleting "three years" in line 13 thereof and substituting therefor "five years".

SECTION 10. Section 38-34 of the Revised Laws of Hawaii 1955 is hereby repealed.

SECTION 11. Section 38-34.5 of the Revised Laws of Hawaii 1955 is hereby amended to read as follows:

"Sec. 38-34.5. Educational officers; transfers. (a) An educational officer, if transferred to a school with a smaller number of teachers or to a position in a class assigned to a lower salary range, shall continue to be paid his previous salary for the first year of such new assignment, after which time he shall be compensated at the rate of step 6 in the salary range to which he has been assigned, subject to the provisions of subsections (b) and (c).

(b) A principal or vice-principal with more than five years of experience in the department, when transferred to a newly established school with a smaller number of teachers, shall continue to be paid the same salary to which he was entitled at the former school until the number of teachers at his newly established school entitles him to an increase under the provisions of section

38-31 or section . For the purposes of this section, a newly established school is defined as one which was established within three years of the transfer of a principal to such school.

(c) A principal or vice-principal, assigned to the same school, shall not have his salary reduced because of a reduction in the number of teachers under his supervision."

SECTION 12. Section 38-35 of the Revised Laws of Hawaii 1955 is hereby amended to read as follows:

"Sec. 38-35. Teachers with special assignments; vocational agriculture and technical school teachers. Teachers with special assignments qualifying for the schedule in section 38-31 shall be rated the same as regular teachers, provided that in cases where the responsibilities are greater, the rate shall be increased proportionately by the department.

Notwithstanding any law to the contrary, teachers with special assignments, vocational agriculture teachers, and technical school teachers whose responsibilities are changed so that their duties are those of regular classroom teachers shall be placed in appropriate salary ranges for teachers on the basis of their academic preparation and on the appropriate step on the basis of their years of experience."

SECTION 13. Section 38-39 of the Revised Laws of Hawaii 1955 is hereby repealed.

SECTION 14. Act 182, Session Laws of Hawaii 1961, is hereby amended by amending section 7 thereof so that section 38-38 of the Revised Laws of Hawaii 1955 shall read as follows:

"Sec. 38-38. Board responsibilities. The board shall adopt fair and reasonable procedures and rules for the rating of the proficiency of educational officers."

SECTION 15. The sum of \$1,968,842.00, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the State to pay the increase in compensation authorized under Sections 2 through 15, inclusive, of this Act to be effective September 1, 1962.

SECTION 16. The sum of \$837,000.00, is hereby appropriated to pay for salary adjustments effective July 1, 1962, in the rates of compensation for all personnel of the University of Hawaii established pursuant to Sections 44-8 and 44-10 of the Revised Laws of Hawaii 1955, and in effect on the effective date of this Act. Such sum as shall be used to grant an average increase of ten per cent in the rates shall be determined by the Board of Regents.

SECTION 17. The appropriations made by Sections 15 and 16 of this Act shall be allotted by the director of the budget to the several boards, commissions and officers of the State concerned. The moneys appropriated shall be expended in the same manner as other appropriations for personal services.

The funds appropriated in said sections shall cover the compensation of all officers and employees of the State except: Officers and employees of the State whose compensations are paid from federal funds or from special funds of the State, whether in whole or in part and whether directly or indirectly, to the extent that the amount required to pay the increase in compensation authorized by Sections 2 through 16 inclusive, of this Act can be obtained from such federal funds or special funds.

SECTION 18. Section 4-10 of the Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

"Sec. 4-10. Salary Schedule. Effective as of July 1, 1962, the monthly rates of basic compensation with respect to classes of positions to which this chapter applies shall be in accordance with the following schedule.

Salary Range	STEPS					
	B	C	D	E	F	G
1	236	248	260	273	287	301
2	248	260	273	287	301	316
3	260	273	287	301	316	332
4	273	287	301	316	332	349
5	287	301	316	332	349	366
6	301	316	332	349	366	384
7	316	332	349	366	384	403
8	332	349	366	384	403	423
9	349	366	384	403	423	444
10	366	384	403	423	444	466
11	384	403	423	444	466	489
12	403	423	444	466	489	513
13	423	444	466	489	513	539
14	444	466	489	513	539	566
15	466	489	513	539	566	594
16	489	513	539	566	594	624
17	513	539	566	594	624	655
18	539	566	594	624	655	688
19	566	594	624	655	688	722
20	594	624	655	688	722	758
21	624	655	688	722	758	796
22	655	688	722	758	796	836
23	688	722	758	796	836	878
24	722	758	796	836	878	922
25	758	796	836	878	922	968
26	796	836	878	922	968	1016
27	836	878	922	968	1016	1067
28	878	922	968	1016	1067	1120
29	922	968	1016	1067	1120	1176
30	968	1016	1067	1120	1176	1235
31	1016	1067	1120	1176	1235	1297

Whenever payment is made on the basis of an annual, weekly, hourly, or daily rate, such rate shall be computed in the following manner,

(a) by multiplying the monthly rate by twelve in order to find the annual rate, (b) by dividing the annual rate by fifty-two in order to find the weekly rate, (c) by dividing the annual rate by fifty-two and again dividing the result thereof by forty, in order to find the hourly rate, and (d) by multiplying the hourly rate by the number of daily hours of service required in order to find the daily rate."

SECTION 19. Salaries of public officers and employees under Chapter 4, Revised Laws of Hawaii 1955, as amended, shall be converted from the existing salary schedule (hereinafter referred to as "existing schedule") to the

new salary schedule set forth in section 12* (hereinafter referred to as the "new schedule") in the following manner except as otherwise provided in this Act:

(1) a. On July 1, 1962, incumbent public officers and employees who are entitled to increment step increases or longevity step increases as of said date shall be credited for such increases under the existing schedule; and

b. After the adjustments determined in (1)a above, the salaries of all incumbent officers and employees shall be further adjusted by assigning them to the same salary range and increment step and longevity step in the new schedule;

(2) Each incumbent who, under the existing schedule, does not qualify for an increment step increase on July 1, 1962, shall have his salary adjusted by assigning his position to the same salary range and the same increment step in the new schedule as of July 1, 1962, and he shall then receive his increment on his appropriate anniversary date.

(3) An employee whose pay rate on June 30, 1962, does not coincide with a pay rate for one of the increment or longevity steps in the appropriate salary range (red circle pay rate) shall have his pay rate advanced to that for the next higher step in the existing salary schedule, if such is available, and following this adjustment transferred to the new schedule at the same step and range designation and his next increment due date shall be July 1, 1963 and for employees who are presently in a longevity step, he shall begin to qualify for the next longevity step as of July 1, 1962, as provided for by section 4-9 of the Revised Laws of Hawaii 1955, as amended.

(4) It is intended that commencing July 1, 1962, employees shall receive compensation at one of the pay rates of the appropriate salary range in the new schedule without any reduction from their existing pay rates.

SECTION 20. The sum of \$2,232,000.00 or so much thereof as may be necessary, is hereby appropriated from the general revenues of the State to pay the increase in compensation provided for public officers and employees of the State and counties under sections 18 and 19 of this Act.

The appropriations made by this section shall be allotted by the director of the budget to the several boards, commissions, and officers of the State concerned, and to the several counties. In the case of the counties, the moneys so allotted shall be paid into the county treasuries and held in special funds solely for the authorized purposes. Such moneys shall be expended in the same manner as other appropriations for personal services.

The funds appropriated by this section shall cover the compensation of all officers and employees of the State and counties except:

(a) Officers and employees of the State whose compensation is paid from federal funds or from special funds of the State, whether in whole or in part and whether directly or indirectly, to the extent that the amount required to pay the increase in compensation authorized by section 18 of this Act can be obtained from such federal funds or special funds.

(b) Officers and employees of the Board of Water Supply of the City and County of Honolulu.

SECTION 21. Notwithstanding any other provision to the contrary, all public officers and employees re-assigned by Act 188, Session Laws of Hawaii 1961, shall be converted on July 1, 1962, from the existing schedule to the new schedule as follows:

* So in original.

(1) a. Each such public officer or employee entitled to an increment step increase or longevity step increase on July 1, 1962, shall be given credit for such increase under the existing salary range in the existing schedule on said date;

b. Following the adjustments set forth in (1)a, any adjustments due, as the result of Act 188, Session Laws of Hawaii 1961, shall be made in the following manner:

(i) If the rate of pay of any employee, after reassignment, is less than the minimum rate for his class, he shall be paid such minimum rate;

(ii) If upon re-assignment his rate coincides with one of the rates, he shall be paid at the next higher rate;

(iii) If the re-assignment is to a lower salary range and his rate coincides with one of the rates in the range, or exceeds the maximum rate, no adjustment shall be made in his rate of pay; and

(iiii) If the re-assignment is to a higher salary range and the rate exceeds the maximum rate of the range, he shall be paid at that longevity rate which is next higher if such a rate is available.

c. The rate of pay of any employee, as the result of re-assignment under the provisions of subsection (1)b above, shall be that rate in the new schedule which is at the same salary range and at the identical rate of pay.

(2) Each public officer or employee who under the existing schedule does not qualify for an increment or longevity step increase on July 1, 1962, shall have his pay rate adjusted only by re-assignment in accordance with the provisions of subparagraphs (i) through (iiii) inclusive of subsection (1)b and receive compensation on July 1, 1962, pursuant to subsection (1)c above, provided, however, that such officer or employee shall be entitled to receive his increment step pay increase on its due date.

It is intended that the conversion of pay rates to the new schedule shall be made without causing any loss or reduction in the pay rates of incumbent officers and employees.

Notwithstanding the provisions of any other law to the contrary, the provisions of this section shall be deemed to have satisfied the intent of Section 4-9, Revised Laws of Hawaii 1955, as amended, and Section 6, Act 188, Session Laws of Hawaii 1961.

It shall be mandatory that the Appeal Board established under sec. 4-4(c) of Act 188 Session Laws of Hawaii 1961, shall comply with the Administrative Procedures Act, Act 103 Session Laws 1961, in all respects.

SECTION 22. The second paragraph of Section 4-9 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

“Any employee who is paid under the provisions of the salary schedule contained in section 4-10 and who has served satisfactorily for five years at the maximum step of the salary range for the class to which his position is assigned up to a maximum of fifteen years service shall receive longevity step increases. Each longevity step increase shall be five percent higher than the next lower rate of the range, rounded out to the nearest dollar. No longevity step increases shall exceed three consecutive step increases nor be based on more than fifteen years of continuous service at such maximum step.”

SECTION 23. Effective July 1, 1962, the compensation of the Governor of the State of Hawaii shall be \$27,500.00 per annum and the compensation of the Lieutenant Governor of the State of Hawaii shall be \$21,500.00 per annum.

There is hereby appropriated from the general revenues of the State not otherwise appropriated the sum of \$5,000.00, or so much thereof as may be necessary to pay for the increase provided by this section.

SECTION 24. Effective July 1, 1962, the salary of the administrative director of the State shall be \$17,000.00 per annum.

There is hereby appropriated from the general revenues of the State not otherwise appropriated the sum of \$1,000.00, or so much thereof as may be necessary to pay for the increase provided by this Section.

SECTION 25. The salaries of the following State officers are hereby fixed at the following annual rates effective July 1, 1962:

a. The salaries of all single executives who are heads of any department of the State in effect on the effective date of this Act are hereby increased by 5% and the maximum salary provided for such executives in Section 44 of Act 1, Session Laws of Hawaii 1959, Second Special Session, shall be amended to read, \$18,500.00.

b. The salaries of all executive officers whose salaries are set by a board which heads any department of the State in effect on the effective date of this Act are hereby increased by 5% and the maximum salary of such executive officers shall be \$18,500.00.

There is hereby appropriated from the general revenues of the State not otherwise appropriated the sum of \$16,346.00, or so much thereof as may be necessary to pay for the increase provided by this Section.

SECTION 26. The salaries of first deputies or first assistants to the head of any department of the State in effect on the effective date of this Act are hereby increased by 5% effective July 1, 1962, provided however, Section 5-20, Revised Laws of Hawaii 1955, as amended, shall not be deemed repealed.

There is hereby appropriated from the general revenues of the State not otherwise appropriated the sum of \$14,082.00 or so much thereof as may be necessary to pay for the increase provided by this Section.

SECTION 27. The sum of \$9,850.00 is hereby appropriated from the general revenues of the state to the Department of the Attorney General for salary increases to deputy attorneys general.

The funds appropriated by this Section shall not be expended to pay the increases in compensations of such officers whose compensation is paid from federal funds or special funds of the State whether in whole or in part and whether direct or indirectly, to the extent that the amount required to pay the increase in compensation authorized by this section can be obtained from such federal funds or special funds.

SECTION 28. The compensation of the employees at the Governor's office and Washington Place not covered by specific statutes and in effect on the effective date of this Act, is hereby increased by 5% effective July 1, 1962.

The sum of \$6,988.00, or so much thereof as may be necessary is hereby appropriated from the general revenues of the State to pay the increase provided by this section.

SECTION 29. a. Sections 146-2, 147-1 and 148-1 of the Revised Laws of Hawaii 1955, as amended, are hereby further amended so as to provide the following schedule of salaries to become effective July 1, 1962, for the officers of the Counties of Hawaii, Kauai and Maui respectively:

	Per Annum
Chairman and Executive Officer.....	\$15,500.00
Members of the Board of Supervisors (each).....	4,800.00
County Attorney.....	13,500.00
Auditor.....	12,250.00
Treasurer.....	12,250.00
Clerk.....	12,250.00
Chief of Police.....	11,750.00
Fire Chief.....	11,750.00

b. Effective July 1, 1962, the salary of the Mayor of the City and County of Honolulu shall be \$21,000.00 per annum and the salary of each Councilman shall be \$6,300.00 per annum, except that the Chairman of the City Council shall receive an additional sum of \$525.00 per annum. All salaries shall be payable semi-monthly. Any changes in salary of the Mayor or Councilmen hereafter made shall be as heretofore authorized by the provisions of Act 261, S. L. H. 1959 (Charter of the City and County of Honolulu).

In addition thereto, the salaries of the following officers, until the salaries of such officers have been provided for in a pay plan recommended by the Mayor and enacted by ordinance, shall be at the following rates per annum payable semi-monthly:

	Per Annum
Corporation Counsel.....	\$16,800.00
Public Prosecutor.....	16,800.00
Chief of Police.....	15,225.00
Fire Chief.....	15,225.00

c. Effective July 1, 1962, Sections 149-54 and 149-55, as amended, are hereby repealed.

d. Except as provided in subsection b above the provisions of this Section shall control over any law passed by the Thirtieth Legislature of the Territory of Hawaii which includes reference to the salaries of officers of the City and County of Honolulu.

e. There is hereby appropriated from the general revenues of the State not otherwise appropriated, the sum of \$23,000.00, or so much thereof as may be necessary to pay for the increase provided by this Section. The appropriation made by this Section shall be allotted by the director of the budget to the respective counties, and moneys so allocated shall be paid into the county treasury of the respective counties and held in special funds solely for the authorized purposes.

SECTION 30. a. Effective July 1, 1962, the compensation of the Chief Justice of the Supreme Court of the State of Hawaii shall be \$23,625.00 per year and the compensation of the Associate Justices of the Supreme Court of the State of Hawaii shall be \$23,100.00 per year.

b. Effective July 1, 1962, the compensation of the Circuit Court Judges of the various Circuit Courts of the State of Hawaii shall be \$19,950.00 per year.

c. There is hereby appropriated from the general revenues of the State not otherwise appropriated, the sum of \$16,925.00, or so much thereof as may be necessary to pay for the increase provided by this section.

SECTION 31. a. Section 220-3 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended effective July 1, 1962, to read as follows:

"Sec. 220-3. Honolulu: Salary Rates.

	Per Annum
First, second, third and fourth district magistrates, Honolulu, who shall not engage in the practice of law during their terms of office.....	\$12,000.00
District magistrate, Ewa.....	6,250.00
District magistrate, Waianae.....	5,000.00
District magistrate, Waialua.....	5,000.00
District magistrate, Koolaupoko and Koolauloa.....	6,500.00
District magistrate, Wahiawa.....	6,000.00
Clerks, reporters and interpreters, district court, Honolulu, (at rates provided under Chapter 4) ;	
A chief clerk	
A clerk-reporter supervisor	
Such other clerks and clerk-reporters as may be needed	
A Japanese interpreter	
A Filipino interpreter	
A Chinese interpreter	

b. Section 220-4 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended effective July 1, 1962, to read as follows:

"Section 220-4. Hawaii. The district magistrates, clerks and other assistants referred to in Section 220-2, and the salary rates of the district magistrates for the County of Hawaii are as follows:

	Per Annum
District magistrate, Hamakua, North and South Kohala.....	\$ 6,000.00
Clerk and reporter, district court of Hamakua, North and South Kohala, to be employed on a part-time basis and paid such salaries as may be determined by the Board of Supervisors, County of Hawaii	
District magistrate, North and South Kona.....	5,250.00
District magistrate, Kau.....	4,000.00
District magistrate, South Hilo, North Hilo and Puna, who shall not engage in the practice of law during his term in office.....	12,000.00
Chief clerk, first assistant clerk and reporter, and second assistant clerk and reporter, third assistant clerk and reporter, and fourth assistant clerk and reporter, district court of South Hilo, North Hilo and Puna, whose salaries shall be paid by the County of Hawaii, as provided for by Chapter 4."	

c. Section 220-5 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended, effective July 1, 1962, to read as follows:

"Section 220-5. Kauai. The district magistrates referred to in Section 220-2, and their salary rates for the County of Kauai are as follows:

	Per Annum
District magistrate, Lihue and Koloa.....	\$6,250.00
District magistrate, Waimea.....	4,750.00
District magistrate, Kawaihau and Hanalei.....	4,750.00

d. Effective July 1, 1962, Section 220-6 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

“Section 220-6. **Maui.** The district magistrates, clerks and other assistants referred to in Section 220-2 and the salary rates of the district magistrates for the County of Maui are as follows:

	Per Annum
District magistrate, Lahaina and Lanai.....	\$ 6,000.00
Clerk and stenographer, Lahaina.....	
Clerk and stenographer, Lanai.....	
District magistrate, Wailuku, who shall not engage in the practice of law during his term of office.....	12,000.00
Clerk and stenographer, Wailuku.....	
District magistrate, Makawao and Hana.....	6,000.00
District magistrate, Molokai.....	4,000.00
Clerk and stenographer, Molokai.....	

The salaries for the above clerks and stenographers shall be provided under Chapter 4.”

e. Effective July 1, 1962 chapter 220 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended, effective July 1, 1962, to read as follows:

“Section 220-8. **Kalawao.** The salary rate of the district magistrate for the County of Kalawao is fixed as follows: \$2,750.00 per annum.”

f. The sum of \$6,770.00 or so much thereof as may be necessary is hereby appropriated from the general fund of the State, not otherwise appropriated, for the purpose of paying the increases provided by this section.

The appropriation made by this section shall be allotted by the director of the budget to the respective counties, and money so allotted shall be paid into the county treasury of the respective counties and held in special funds solely for the authorized purposes.

SECTION 32. Section 50-23 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended, effective July 1, 1962, by deleting the figures “65” and “55” appearing in the first paragraph and substituting the figures “70” and “60” respectively.

There is hereby appropriated from the general fund a total sum of \$7,095.00 to be expended during the period 1962-63 to pay the increase in pay provided by this section.

SECTION 33. Effective July 1, 1962, the compensation of the revisor in effect on the effective date of this Act is hereby increased by 5% and the revisor’s maximum salary under Section 1-51, Revised Laws of Hawaii 1955, as amended, shall be \$14,700.00.

There is hereby appropriated from the general revenues of the State not otherwise appropriated, the sum of \$1,300.00, or so much thereof as may be necessary to pay for the increase provided by this section.

SECTION 34. Effective July 1, 1962, the compensations of executive officers of regulatory boards in effect on the effective date of this Act and whose compensations are established by the respective boards, are hereby increased by 5%, provided, however, Section 5-20, Revised Laws of Hawaii 1955, as amended, shall not be deemed repealed.

There is hereby appropriated from the general revenues of the State not otherwise appropriated the sum of \$2,000.00, or so much thereof as may be necessary to pay for the increase provided by this section.

SECTION 35. There is hereby appropriated from the general revenues of the State the sum of \$267,600.00 for the purpose of discharging the employer contributions of the State and the several counties to the employees' retirement system and/under the Social Security Act with respect to increases provided by this Act and covered by appropriations from the general revenues of the State.

SECTION 36. Appropriations made in Section 15 of this Act shall be for the period September 1, 1962, to June 30, 1963, and all other appropriations made herein shall be for the period July 1, 1962, to June 30, 1963.

SECTION 37. The unrequired balance of any fund appropriated by this Act may be transferred by the director of the budget to cover any deficiency in other appropriations made by this Act.

SECTION 38. All laws and parts of laws heretofore enacted which are in conflict with the provisions of this Act are hereby amended to conform herewith. All acts passed during this budget session 1962, whether enacted before or after passage of this Act, shall be amended to conform to this Act, unless such acts specifically provide that this Act is being amended.

SECTION 39. If any portion of this Act or its application to any person or circumstances is held to be invalid for any reason, then the Legislature hereby declares that the remainder of this Act and each and every other provision thereof shall not be affected thereby.

SECTION 40. This Act shall take effect upon its approval.

(Approved May 28, 1962.) S.B. 113.
