

ACT 39

A Bill for an Act Relating to Compensation of the First Deputy or First Assistant to the Head of Any Department of the County Governments and Amending Act 223, Session Laws of Hawaii 1965.

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:

Act 223, Session Laws of Hawaii 1965, has been subject to conflicting interpretations on the question of whether a first deputy or first assistant to the head of a department of the county government is entitled to increment or longevity step credit which he would have

otherwise earned during the period that his salary was frozen by the provisions of section 5-20, Revised Laws of Hawaii 1955, as amended.

The question is now before the Second Circuit Court of the State but a final determination of the cause may not be made until some time in the future. Immediate corrective action is necessary to prevent inequities that may exist and to clarify the law in this area.

SECTION 2. Section 2 of Act 223, Session Laws of Hawaii 1965, is hereby amended by adding immediately after the first paragraph thereof a new paragraph to read as follows:

“Effective July 1, 1965, a first deputy or first assistant to the head of a department of the county governments who was subject to the limitation on salary prescribed by section 5-20 shall be granted credit, but no retroactive cash compensation, for increments or longevity steps allocable to the period that his salary was so limited, as if the limitation in said section 5-20 did not exist.”

SECTION 3. This Act shall take effect upon its approval.
(Approved April 27, 1966.) **S.B. 333.**