

ACT 400

H.B. NO. 3404

A Bill for an Act Relating to Compensation for State Service.

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

SECTION 1. **Purpose.** The purpose of this Act is to allow the chief executives of the State and counties and the chief justice, or their designated representatives (e.g., the state director of personnel services) to adjust the pay of all current excluded managerial employees who have remained incumbents since the excluded managerial compensation plan (EMCP) went into effect on July 1, 1981, and those current employees who are similarly assigned to the plan without a pay increase prior to July 1, 1982 (hereinafter referred to as charter members).

SECTION 2. Lump sum payments and current pay adjustments shall be granted to charter members. The lump sum payment shall be computed as if adjustments were made as follows: beginning from July 1, 1981, each such employee's pay shall be adjusted by amounts equal to the dollar differences between the min-

ACT 400

imum rates of the initial EM range and the minimum rates of the comparable SR range. The current pay adjustment shall be computed in the same manner and the resultant pay rate, in effect on July 1, 1988, shall not be further adjusted under the provisions of this Act.

SECTION 3. The methods of computation necessary to achieve the purposes of this Act shall be uniformly determined and applied by all jurisdictions.

SECTION 4. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity will not affect other provisions or applications of the Act which can be effected without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 5. There is hereby appropriated or authorized from the sources of funding indicated below to Program Planning, Analysis, and Budget Program (BUF 101), the following sums, or so much thereof as may be necessary for fiscal year 1988-1989, to fund the adjustments in state executive branch adjustments pursuant to section 2 of this Act:

<u>Source of Funds</u>	
General Funds	\$1,517,210
Special Funds	456,468
Federal Funds	85,702
Other Funds	31,281

Funds appropriated or authorized by this section shall be expended by the director of finance for the purposes of this Act.

SECTION 6. There is hereby appropriated or authorized from the sources of funding indicated below to Administrative Director Services (JUD 201) the following sums, or so much thereof as may be necessary for fiscal year 1988-1989, to fund state judicial branch adjustments to be made pursuant to section 2 of this Act:

<u>Source of Funds</u>	
General Funds	\$ 48,462

Funds appropriated or authorized by this part shall be expended by the chief justice for the purposes of this Act.

SECTION 7. There is hereby appropriated or authorized from the state general fund the following sums, or so much thereof as may be necessary for fiscal year 1988-1989, to fund county adjustments to be made pursuant to section 2 of this Act:

City & County of Honolulu	\$1,306,758
County of Hawaii	247,272
County of Maui	226,400
County of Kauai	237,500

Funds appropriated or authorized by this Act shall be expended by the respective county finance director for the purposes of this Act.

SECTION 8. The provisions of this Act shall not be interpreted as affected by Article 5, section 8, of the Hawaii State Constitution. The funds provided for

the fiscal year 1988-1989 to the counties are of a one-time nature to assist them in the smooth implementation of the provisions of this Act. Thereafter, costs shall be borne by each jurisdiction independently.

SECTION 9. This Act shall take effect on July 1, 1988.

(Approved June 17, 1988.)