RELATING TO MINIMUM WAGE.

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

SECTION 1. Section 103D-1001, Hawaii Revised Statutes, is amended by amending the definition of "qualified community rehabilitation program" to read as follows:

"Qualified community rehabilitation program" means a nonprofit community rehabilitation program for persons with disabilities that:

(1) Is organized and incorporated under the laws of the United States or this State, and located in this State;

(2) Is operated in the interest of and employs persons with disabilities;

(3) Does not inure any part of its net income to any shareholder or other individual;

(4) Complies with all applicable occupational health and safety standards required by the federal, state, and county governments; and
(5) Holds a current certificate from the United States Department of Labor pursuant to the Fair Labor Standards Act, Title 29 United States Code section 214(c), and is certified by the state department of labor and industrial relations under [section 387-9 and] applicable administrative rules relating to the employment of persons with disabilities."

SECTION 2. Section 387-9, Hawaii Revised Statutes, is amended to read as follows:

"§387-9 Special minimum wages for learners; apprentices; full-time students; paroled wards of Hawaii youth correctional facility; handicapped workers. (a) Notwithstanding the provisions of section 387-2, the director may by rule provide for the employment of learners, of apprentices, of part-time employees who are full-time students attending public or private schools other than colleges, universities, business schools, or technical schools, and of wards paroled from the Hawaii youth correctional facility, under special certificates issued by the director, at such wages lower than the applicable minimum wage and
subject to such limitations as to time, number, proportion, and length of service as the director shall prescribe; and

(2) Of individuals whose earning capacity is impaired by old age or physical or mental deficiency or injury, under special certificates issued by the director, at such wages lower than the applicable minimum wage and for such period as shall be fixed in the certificates.

(b) The director may by rule prescribe standards and requirements to ensure that this section will not create a substantial probability of reducing the full-time employment opportunities of persons other than those to whom the special minimum wage rate authorized by this section is applicable."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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

SECTION 5. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on January 1, 2050.
Report Title:
Employment; Minimum Wage; Persons With Disabilities

Description:
Includes persons with disabilities under generally applicable minimum wage requirements. (HB232 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.