

SESSION LAWS OF HAWAII  
PASSED BY THE  
SEVENTH STATE LEGISLATURE  
SPECIAL SESSION  
1974

## ACT 1

H.B. NO. 2428-74

A Bill for an Act Relating to the Administration of General Assistance to Needy Persons.

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

SECTION 1. Section 346-71, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 346-71 General assistance.** The department of social services and housing shall administer public assistance to those needy persons not otherwise provided for under this chapter, who for reasons satisfactory to the department are unable to provide sufficient support for themselves or those dependent upon them provided that such persons are residents of this State.

The department shall not provide general assistance to any person who is physically fit, able to work and employable provided that the department shall provide general assistance to such person where the department finds that:

- (1) He is unemployed for reasons other than voluntary separation without good cause or for misconduct; and
- (2) He is actively and diligently seeking gainful employment; and
- (3) He has not refused to accept employment when offered; and
- (4) He has registered and is available for work as required by Section 383-29; and
- (5) He has exhausted all of his benefits under Chapter 383 provided, however, should the benefits of any person under Chapter 383 be less than those for which he would otherwise be eligible hereunder, he shall be eligible for supplementary general assistance; and provided further, that this provision of exhaustion shall not apply to those persons not entitled by law to such benefits.

The department shall by rules adopted pursuant to chapter 91, establish criteria and standards for the foregoing conditions and requirements. The department shall further require such persons, as a condition to receiving general assistance, to register for work on public work projects and to accept an assignment to work under section 346-31 or to accept such employment as may be offered to them by the department under section 346-102 or by an employer. The term “public work projects” includes any kind of labor under the department of accounting and general services of the State or the department of public works of any county, or under any other department, board, commission, or agency of the State or any county. All such agencies may employ persons registering under this section. Payment for the work shall

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not be made from the funds of the agency employing such persons but shall be made from the funds of the department. The department shall promulgate such rules and regulations as it deems necessary to enforce and carry out this section."

Recipients disqualified for failure to comply with any of the department's work requirements under the provisions of this section shall be excluded from general assistance for a period not to exceed twelve months.

SECTION 2. Section 346-102, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The department of social services and housing shall be responsible for providing employment on public works projects as defined in section 346-71, for persons:

- (1) Receiving full or partial public assistance from the State; or
- (2) Receiving unemployment compensation benefits from the State whose benefits thereunder are within the last two weeks of eligibility and who upon termination of unemployment compensation benefits will be eligible for full partial public assistance from the State; or
- (3) Who reside on an island where the primary economic base providing employment for such persons is lost or is in danger of being lost.

Public assistance recipients participating in public service employment shall be considered to be employees of the department; provided however that except for coverage under the workmen's compensation law, laws relating to civil service, classification, retirement, vacation, sick leave, and other matters relating to regular public employees shall not apply to such persons."

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

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

(Approved June 21, 1974.)

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\*Edited accordingly.