

ACT 14

H.B. NO. 651

A Bill for an Act Relating to Minimum Wages.

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

SECTION 1. Section 387-2, Hawaii Revised Statutes, is amended to read:

“Sec. 387-2 Minimum wages. After June 30, 1974 and until June 30, 1975, every employer, except as provided in section 387-9 and this paragraph, shall pay to each employee employed by him wages at the rate of not less than \$2.00 per hour. After June 30, 1975, every employer, except as provided in section 387-9 and this paragraph, shall pay to each employee employed by him

wages at the rate of not less than \$2.40 per hour. The hourly wage of a tipped employee may be deemed to be increased on account of tips if the employee is paid not less than twenty cents below the applicable minimum wage by his employer and the combined amount he receives from his employer and in tips is at least fifty cents more than the applicable minimum wage.”

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

“Sec. 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 rules provide for the employment:

- (1) 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) (1) After June 30, 1974 and until June 30, 1976, notwithstanding the provisions of section 387-2 and of the foregoing subsection, an employer engaged in a seasonal pursuit may employ an employee—
- (A) To whom the minimum wage rate required by section 387-2 would apply in such employment but for this subsection, and
 - (B) Who is a full-time student who attended a public or private school, other than a college, university, business school or technical school, for at least six months during the preceding 12-month period, at a special minimum wage rate not less than 85 per centum of the minimum wage applicable under section 387-2.
- (2) The director may by regulation prescribe standards and requirements to insure that this subsection 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 subsection is applicable.”

SECTION 3. Statutory 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 on July 1, 1974.

(Approved April 9, 1974.)

*Edited accordingly.