

STAND. COM. REP. NO.

2361

Honolulu, Hawaii

FEB 15 2018

RE: S.B. No. 3023
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Labor, to which was referred S.B. No. 3023
entitled:

"A BILL FOR AN ACT RELATING TO MINIMUM WAGE,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal
provisions that allow individuals whose earning capacity is
impaired by old age or physical or mental deficiency or injury to
receive wages lower than the applicable minimum wage.

Your Committee received testimony in support of this measure
from the Hawai'i Appleseed Center for Law & Economic Justice,
IMUAlliance, Pono Hawai'i Initiative, O'ahu County Committee on
Legislative Priorities of the Democratic Party of Hawai'i, Kupuna
Caucus of the Democratic Party of Hawaii, Stress Free Souls, and
forty-one individuals. Your Committee received comments on this
measure from the Department of Labor and Industrial Relations,
Goodwill Hawaii, Hawaii Disability Rights Center, and Self
Advocacy Advisory Council.

Your Committee finds that the existing Hawaii special minimum
wage law allows employers to pay workers with disabilities
subminimum wages in certain circumstances. Legislation that
allows subminimum wages for certain individuals with disabilities
was enacted under federal law in 1938, at a time when there were
limited opportunities, few services, and even fewer technologies



to enable workers with disabilities to engage in the workplace. Your Committee finds that with the high-cost of living in Hawaii and the availability and advancement of assistive technologies that can aid all workers, it is necessary that the State's policies are supportive and inclusive to allow all workers with disabilities to reach their full vocational and socioeconomic potential.

Your Committee has heard the testimony from proponents and also those with concerns about possible unintended consequences of this measure. As such, your Committee recommends that, as this measure moves through the legislative process, your Committee on Ways and Means consider amendments proposed by the Department of Labor and Industrial Relations and further recommends that proponents of this measure and those who testified with concerns discuss possible amendments and improvements for submission to the Legislature.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3023, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3023, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Labor,

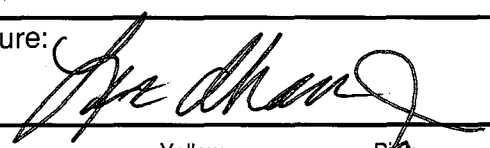


JILL N. TOKUDA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:* <i>SB3023</i>	Committee Referral: <i>LBR, WAM</i>	Date: <i>2/6/18</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
ENGLISH, J. Kalani (VC)				✓
CHANG, Stanley	✓			
IHARA, Jr., Les	✓			
TANIGUCHI, Brian T.				✓
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes