

## ACT 134

S.B. NO. 2745-76

A Bill for an Act Relating to the State Employment Program.

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

SECTION 1. Act 151, Session Laws of Hawaii 1975, is amended by amending the definition of "head of household" of section -2 of section 1 to read as follows:

"(4) "Head of household" means an individual if the individual maintains as the individual's home a household which constitutes the principal place of abode, and includes as a member of such household, a spouse, a son, stepson, or stepdaughter of such individual, or a descendant of a son or daughter of such individual, or any other person who is a dependent of the individual. A household includes all persons who occupy a group of rooms or a single room which constitutes a housing unit. A group of rooms or a single room is regarded as a housing unit when it is occupied as a separate living quarters, that is, when the occupants do not live and eat with any other persons in the structure, and when there are complete kitchen facilities for the exclusive use of the occupants of the household."

SECTION 2. Act 151, Session Laws of Hawaii 1975, is amended by amending section -11 of section 1 to read as follows:

**"Sec. -11 Authority and priorities.** The director may create and administer a statewide state-funded public service employment program. In carrying out the program, the director shall accord priority to individuals to be hired in the following order:

First: Unemployed heads of household who have been unemployed for more than fifteen weeks, including those who have exhausted their unemployment benefits and unemployed persons whether or not heads of household, in an underemployed group such as those who are disadvantaged and cannot successfully compete in the labor market. The group shall be defined and classifications therein shall be made by rules adopted by the director under chapter 91.

Second: All other unemployed heads of households, who are unemployment insurance claimants.

Third: All other unemployed heads of households, whether or not unemployment insurance claimants, who are certified by the director as recipients of state public assistance under chapter 346.

Fourth: All other unemployed persons, whether or not unemployment insurance claimants.

Persons employed in public service jobs under this chapter shall be paid wages which shall not be lower than the State minimum wage nor higher than \$10,000 a year.

Such persons shall not be considered state employees and shall not be subject to the provisions of law relating to state employment, including those regarding hours of work, rates of compensation, leave, unemployment compensation, collective bargaining, and state employee benefits, except that such persons shall be entitled to employee coverage under chapter 87, Hawaii Revised Statutes.

For purposes of chapter 386 such persons shall be deemed employees of the State within the meaning of the term "employee" as defined in section 386-1, and the provisions of that chapter shall apply."

SECTION 3. Act 151, Session Laws of Hawaii 1975, is amended by amending section 2 to read as follows:

"SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$11,133,500, or so much thereof as may be necessary, to implement the programs set forth in part II of the chapter created in section 1 of this Act. The funds appropriated shall be expended by the director of labor and industrial relations; provided that \$5,000,000, or so much thereof as may be necessary, shall be apportioned in the various counties in accordance with the unemployment rate of each county determined each month by the director. Any part of this appropriation unexpended as of June 30, 1976 shall carry over to implement part II of the chapter created in section 1 of the Act, for the fiscal year 1976-77."

SECTION 4. Act 151, Session Laws of Hawaii 1975, is amended by amending section 3 to read as follows:

"SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000, or so much thereof as may be necessary, to implement the programs set forth in parts III and IV of the chapter created in section 1 of this Act. The funds appropriated shall be expended by the director of labor and industrial relations. Any part of this appropriation unexpended as of June 30, 1976 shall carry over to implement the programs set forth in parts III and IV of the chapter created in section 1 of this Act for the fiscal year 1976-77."

SECTION 5. Act 151, Session Laws of Hawaii 1975, is amended by amending section 4 to read as follows:

"SECTION 4. This Act shall be in effect for the period July 1, 1975 to June 30, 1977. This Act shall lapse and all appropriations under this Act not encumbered shall lapse on June 30, 1977."

SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$12,000,000, or so much thereof as may be necessary, to implement Act 151, Session Laws of Hawaii 1975, as amended by this Act. The sum appropriated shall be expended by the director of labor and industrial relations for the purposes of this Act.

**SECTION 7.** 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 8.** This Act shall take effect upon its approval.

(Approved May 27, 1976.)

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\*Edited accordingly.