

ACT 61

A Bill for an Act Relating to the Hawaii Employment Security Law and Amending Chapter 93 of the Revised Laws of Hawaii 1955, as Amended.

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

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The balance in the unemployment compensation fund has decreased rapidly during the past several years; the existing balance is precariously low. It was anticipated last session that as of December 31, 1963 the fund balance would be less than five per cent of the average annual total taxable payroll during the preceding five-year period. When this situation occurred all employers would have been required to contribute 2.7 per cent of their taxable payroll to the unemployment compensation fund. In order to avoid this undesirable eventuality, Act 168, Session Laws of Hawaii 1963, was enacted as a temporary emergency measure. This Act expires June 30, 1964 at which time the 2.7 per cent rate will be automatically imposed on all employers unless this legislature takes necessary action.

One of the major reasons for the temporary nature of Act 168 was to allow sufficient time for the department of labor and industrial relations to examine the many aspects of the employment security laws and their administration, and to formulate comprehensive recommendations for necessary statutory revisions. The necessary review has been completed and the legislature can now act on benefit, financing and administrative provisions taking into account the close interrelationship of these several aspects of the total employment security program.

Act 168 has accomplished its purpose. It will expire shortly. In the absence of legislative action, a return to the critical situation which existed before its passage will occur. It is therefore urgent to amend the existing statutes at this session to insure a sound employment security program.

SECTION 2. Section 93-1 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding a new subsection (s), to read as follows:

“Weeks of employment” means all those weeks within each of which the individual has performed services in employment for one or more employers subject to this chapter or with respect to which he has received remuneration from one or more employers subject to this chapter in the form of vacation, holiday, or sickness pay or similar remuneration.”

SECTION 3. Section 93-26 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting therefrom the fifth paragraph including the table therein.

SECTION 4. Section 93-28(e) of the Revised Laws of Hawaii 1955, is hereby amended to read:

“(e) Wages for insured work; weeks of employment. (1) In the case of an individual who has established a benefit year prior to Janu-

ary 3, 1965, he has during his base period been paid wages for insured work equal to not less than the amount appearing in Column C of the schedule in section 93-21, on the line on which, in column B of the schedule, appears his weekly benefit amount.

“(2) In the case of an individual whose benefit year begins on or after January 3, 1965, he has during his base period had a total of fourteen or more weeks of employment as defined in section 93-1 (s) and has during his base period been paid wages for insured work equal to not less than the amount appearing in column C of the schedule in section 93-21, on the line on which, in column B of the schedule, appears his weekly benefit amount.

“(3) For the purposes of this subsection, wages and weeks of employment shall be counted for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the dates on which the employing unit by which such wages or other remuneration as provided in section 93-1 (s) were paid has satisfied the conditions of section 93-1 (i) with respect to becoming an employer.”

SECTION 5. This Act shall take effect on January 1, 1965.

(Approved May 2, 1964.) **H.B. 10.**
