

ACT 20

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

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

SECTION 1. Chapter 93, Revised Laws of Hawaii 1955, as amended, is hereby further amended as follows:

(a) Subsection (b) of section 93-60 is amended to read:

“(b) For the purposes of this part, the term ‘wages’ does not include remuneration paid with respect to employment to an individual by an employer during any calendar year which exceeds ninety per

cent (90%) of the average annual wage, rounded to the nearest hundred dollars, for the four calendar quarter period ending on June 30 of the preceding year. The average annual wage shall be computed as follows: On or before November 30 of each year the total remuneration paid by employers, as reported on contribution reports on or before such date, with respect to all employment during the four consecutive calendar quarters ending on June 30 of such year shall be divided by the average monthly number of individuals performing services in such employment during the same four calendar quarters as reported on such contribution reports.”

(b) The following subsection is hereby added to section 93-60:

(c) If an employer during any calendar year acquires substantially all the property used in a trade or business, or in a separate unit of a trade or business, of another employer, and after the acquisition employs an individual who prior to the acquisition was employed by such predecessor, then for the purpose of determining whether such remuneration in excess of ninety per cent (90%) of the average annual wages has been paid for such employment to such individual, remuneration paid to such individual by such predecessor during such calendar year shall be considered as having been paid by such successor employer. For the purposes of this subsection, the term ‘employment’ includes services constituting employment under any employment security law of another state or of the Federal government.”

SECTION 2. This Act shall take effect upon its approval.

(Approved May 4, 1965.) **H.B. 833.**