

A Bill for an Act Relating to the Hawaii Employment Security Law.

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

SECTION 1. Section 383-98(d), Hawaii Revised Statutes, is amended to read:

“(d) In accordance with section 383-91(b), the director may appoint one or more substitute referees to serve (1) during any temporary absence of a referee from his duties, (2) in the event a referee is disqualified to hear any appeal, (3) in the event of vacancy in the office of referee, or (4) if, for any reason, the director finds that the services of substitute referees are necessary for prompt and expeditious handling of appeals. Any substitute referee, while so serving, shall have all the powers and duties of a referee and shall receive compensation for his services at the daily rate provided at step G of the salary range of full time referees under the classified service for each day’s actual attendance upon his duties and shall also be paid such reasonable traveling and other expenses as may be incurred in the discharge of his duties, the compensation and expenses to be paid out of the employment security administration fund. Substitute referees shall not be entitled to longevity step increases. In case any appeal shall be referred to a substitute referee for hearing, the substitute referee shall retain jurisdiction of the appeal so referred to him, notwithstanding that the regular referee may become available unless the reference of the appeal to the substitute referee shall be revoked by the director. The final decisions of a referee and the principles of law declared by him in arriving at such decisions, unless expressly or impliedly overruled by a later decision of a court of competent jurisdiction or of a referee, shall be binding upon any substitute referee in proceedings which involve similar questions of law.”

SECTION 2. Statutory material to be repealed is bracketed.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 3. This Act shall take effect upon its approval.

(Approved May 17, 1976.)

*Edited accordingly.