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# A BILL FOR AN ACT

RELATING TO UNEMPLOYMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that a number of large  
2 employers, including the State's last large-scale sugar  
3 operation, recently announced mass layoffs in Maui county.  
4 During the first four months of 2016, the department of labor  
5 and industrial relations received, via dislocated worker notices  
6 pursuant to chapter 394B, Hawaii Revised Statutes, notification  
7 of 2,808 workers either losing or potentially losing jobs.  
8 These workers represent approximately 3.5 per cent of the 82,550  
9 employed persons in Maui county during February 2016.

10           The legislature further finds that it may be difficult for  
11 a large number of these workers to find work quickly because  
12 their occupational skills are not suitable for the current job  
13 market on Maui, especially those workers with agricultural and  
14 medical skills.

15           The purpose of this Act is to create a temporary program  
16 limited to Maui county to provide additional benefits to  
17 unemployed workers by extending unemployment insurance benefits.  
18 The funds for state additional benefits payable under this Act



1 shall be withdrawn from the unemployment compensation trust fund  
2 pursuant to sections 383-121 to 383-123, Hawaii Revised  
3 Statutes. If necessary, additional moneys may be allocated from  
4 the state general fund and used for the payment of expenses  
5 incurred for the administration of state additional benefits.

6 SECTION 2. For the purpose of this Act:

7 "Base period" shall be defined as in section 383-1, Hawaii  
8 Revised Statutes.

9 "Benefit year" shall be defined as in section 383-1, Hawaii  
10 Revised Statutes.

11 "Continued claim certification" means an application that  
12 certifies the completion of a week of total, part-total, or  
13 partial unemployment to claim benefits for a week of  
14 unemployment as described in the definition of "continued claim  
15 certification" in section 12-5-73, Hawaii Administrative Rules.

16 "Initial claim" includes a new claim, an additional claim,  
17 or a reopened claim as defined in section 12-5-73, Hawaii  
18 Administrative Rules.

19 "Regular benefits" means the unemployment insurance  
20 benefits paid on an initial claim filed under chapter 383,



1 Hawaii Revised Statutes, except as provided for in sections 383-  
2 168 through 383-176, Hawaii Revised Statutes.

3 "State additional benefits" means the unemployment  
4 compensation benefits payable under this Act.

5 "State additional benefits eligibility period" means the  
6 period beginning on September 4, 2016, and ending on October 28,  
7 2017.

8 "Week of unemployment" shall be defined as in section 383-  
9 1, Hawaii Revised Statutes.

10 SECTION 3. An individual shall be eligible to receive a  
11 payment of state additional benefits with respect to a week of  
12 unemployment in accordance with this Act; provided that:

13 (1) The benefit year for the most recent initial claim  
14 filed by the individual begins on or after March 1,  
15 2015;

16 (2) The individual had at least two quarters of insured  
17 employment in Maui county during the base period of  
18 the initial claim filed under (1);

19 (3) The individual exhausted regular benefits under  
20 chapter 383, Hawaii Revised Statutes, within the state  
21 additional benefits eligibility period;



- 1           (4) The individual filed an initial claim and filed
- 2                   continued claim certifications for state additional
- 3                   benefits during the state additional benefits
- 4                   eligibility period;
- 5           (5) The week of unemployment falls within the state
- 6                   additional benefits eligibility period;
- 7           (6) The individual is not receiving unemployment benefits
- 8                   under federal law or the laws of any other state, or
- 9                   any federal or federal-state extended benefits program
- 10                  or adjustment assistance under chapter 2 of title II
- 11                  of the Trade Act of 1974, as amended, during the same
- 12                  weeks within the state additional benefits eligibility
- 13                  period for which state additional benefits are
- 14                  claimed; and
- 15           (7) The individual has met all other conditions of
- 16                   eligibility that apply to regular benefits under
- 17                   chapter 383, Hawaii Revised Statutes, except that no
- 18                   individual shall be required to serve a waiting period
- 19                   in the state additional benefits eligibility period.

20           SECTION 4. (a) The weekly state additional benefits

21 amount payable to an eligible individual for a week of total



1 unemployment within the state additional benefits eligibility  
2 period shall be an amount equal to the weekly benefit amount  
3 payable in the individual's current or most recently expired  
4 benefit year within the state additional benefits eligibility  
5 period.

6 (b) The maximum state additional benefits amount payable  
7 to any eligible individual during the state additional benefits  
8 eligibility period shall be thirteen times the individual's  
9 weekly state additional benefits amount.

10 (c) No state additional benefits shall be payable for any  
11 week beginning prior to the state additional benefits  
12 eligibility period or for any week beginning after the state  
13 additional benefits eligibility period ends.

14 SECTION 5. State additional benefits paid to an individual  
15 shall be charged against the account of any of the individual's  
16 base period employers in the same manner as regular benefits  
17 were charged on the individual's current or most recently  
18 expired benefit year within the state additional benefits  
19 eligibility period, and consistent with section 383-65, Hawaii  
20 Revised Statutes.



1 SECTION 6. Except when the result would be inconsistent  
2 with this Act, the provisions of chapter 383, Hawaii Revised  
3 Statutes, which apply to claims for, or the payment of, regular  
4 benefits shall apply to claims for, and the payment of, state  
5 additional benefits.

6 SECTION 7. No provision contained in this Act shall apply  
7 when the balance of the unemployment compensation trust fund is  
8 below the adequate reserve fund defined by section 383-63,  
9 Hawaii Revised Statutes.

10 SECTION 8. No provision contained in this Act shall apply  
11 to the payment of state additional benefits if the provision  
12 conflicts with federal statutes and jeopardizes the receipt of  
13 federal administrative funding and certification for the federal  
14 Unemployment Tax Act employer tax offset credit.

15 If any provision in this Act jeopardizes the receipt of  
16 federal funds, the governor is authorized to revise any  
17 provision of this Act to the extent required to maximize the  
18 receipt of federal funds. The governor shall promptly report  
19 any revision and reasons therefor to the legislature at the next  
20 legislative session thereafter.



1 SECTION 9. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$650,000 or so much  
3 thereof as may be necessary for fiscal year 2016-2017 to carry  
4 out the purposes of this Act.

5 The sum appropriated shall be expended by the department of  
6 labor and industrial relations for the purposes of this Act.

7 SECTION 10. This Act shall take effect upon its approval  
8 and shall be repealed on October 28, 2017; provided that section  
9 shall take effect on July 1, 2016.



**Report Title:**

Unemployment Insurance; State Additional Benefits; Appropriation

**Description:**

Creates a temporary program limited to Maui County to provide additional benefits to unemployed workers by extending their unemployment insurance benefits. Appropriates funds. (HB2722 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

