

the United States, is ordinarily and regularly supervised, managed, directed and controlled, within this State.

For the purposes of this subsection, "American vessel" means any vessel, except those vessels described in paragraph (v) of this subsection, documented or numbered under the laws of the United States. It also means any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew performs service solely for one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state. "American aircraft" means an aircraft registered under the laws of the United States.

21.

(a) As used in this section, unless the context clearly requires otherwise—

(4) THERE ARE "STATE 'ON' AND 'OFF' INDICATORS" FOR THIS STATE AS FOLLOWS:

(I) THERE IS A STATE "ON" INDICATOR FOR A WEEK IF FOR A PERIOD THAT CONSISTS OF THE WEEK AND THE 12 IMMEDIATELY PRECEDING WEEKS, THE RATE OF INSURED UNEMPLOYMENT (NOT SEASONALLY ADJUSTED) UNDER THIS SUBTITLE EQUALED OR EXCEEDED 120 PERCENT OF THE AVERAGE OF THE RATES FOR THE CORRESPONDING 13-WEEK PERIOD ENDING IN EACH OF THE 2 PRECEDING CALENDAR YEARS AND EQUALED OR EXCEEDED 4 PERCENT. AFTER A STATE "ON" INDICATOR OCCURS UNDER THIS SUBPARAGRAPH, THERE IS A STATE "OFF" INDICATOR FOR A WEEK IF, FOR A PERIOD THAT CONSISTS OF THE WEEK AND THE 12 IMMEDIATELY PRECEDING WEEKS, THE RATE OF INSURED UNEMPLOYMENT (NOT SEASONALLY ADJUSTED) UNDER THIS SUBTITLE WAS LESS THAN 120 PERCENT OF THE AVERAGE OF THE RATES FOR THE CORRESPONDING 13-WEEK PERIOD ENDING IN EACH OF THE 2 PRECEDING CALENDAR YEARS OR WAS LESS THAN 4 PERCENT.

(II) THERE IS A STATE "ON" INDICATOR FOR A WEEK IF FOR A PERIOD THAT CONSISTS OF THE WEEK AND THE 12 IMMEDIATELY PRECEDING WEEKS, THE RATE OF INSURED UNEMPLOYMENT (NOT SEASONALLY ADJUSTED) UNDER THIS SUBTITLE EQUALED OR EXCEEDED 5 PERCENT. AFTER A STATE "ON" INDICATOR OCCURS UNDER THIS SUBPARAGRAPH, THERE IS A STATE "OFF" INDICATOR FOR A WEEK IF, FOR A PERIOD THAT CONSISTS OF THE WEEK AND THE 12 IMMEDIATELY PRECEDING WEEKS, THE RATE OF INSURED UNEMPLOYMENT (NOT SEASONALLY ADJUSTED) UNDER THIS SUBTITLE WAS LESS THAN 5 PERCENT.

(III) THE STATE "ON" INDICATORS UNDER SUBPARAGRAPHS (I) AND (II), RESPECTIVELY, TAKE PRECEDENCE OVER A STATE "OFF" INDICATOR UNDER SUBPARAGRAPH (II) OR SUBPARAGRAPH (I).

[ (6) ] (5) "Rate of insured unemployment," for purposes of [ paragraphs ] PARAGRAPH (4) [ and (5) ] of this subsection, means the percentage derived by dividing