

JAN 19 2023

A BILL FOR AN ACT

RELATING TO THE TRANSFER OF THE CULINARY INSTITUTE OF THE
PACIFIC.

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

1 SECTION 1. The legislature finds that the achievement of
2 long-range goals, objectives, and policies for potential growth
3 and innovation in economic development is paramount to the
4 success of the State's economy. According to the Hawaii state
5 planning act, expanding innovative activity in various fields
6 such as the culinary arts is one of many areas that can serve to
7 increase and diversify the State's economic base.

8 The legislature also finds that the culinary institute of
9 the pacific, a culinary center with a focus on accessible world-
10 class training located at Kapiolani community college campus, is
11 a part of a statewide network designed to provide Hawaii's
12 people with knowledge, skills, and training of the culinary
13 arts. As a crucial training center for a new generation of
14 students, researchers, and corporations, the culinary institute
15 of the pacific is one of many institutions vital to achieving



1 the State's economic development goals through innovation in the
2 culinary arts and twenty first century food systems.

3 The legislature further finds that the State's economic
4 development is a matter of statewide concern that falls under
5 the legislature's purview pursuant to article X, section 6, of
6 the Hawaii State Constitution.

7 Accordingly, the purpose of this Act is to transfer the
8 culinary institute of the pacific from the University of Hawaii
9 to the department of business, economic development, and
10 tourism.

11 SECTION 2. All rights, powers, functions, and duties of
12 the University of Hawaii relating to the culinary institute of
13 the pacific are transferred to the department of business,
14 economic development, and tourism for administrative purposes.

15 SECTION 3. All appropriations, records, equipment,
16 machines, files, supplies, contracts, books, papers, documents,
17 maps, and other personal property heretofore made, used,
18 acquired, or held by the University of Hawaii relating to the
19 functions transferred to the department of business, economic
20 development, and tourism shall be transferred with the functions
21 to which they relate.



1 SECTION 4. All employees who occupy civil service
2 positions and whose functions are transferred to the department
3 of business, economic development, and tourism by this Act shall
4 retain their civil service status, whether permanent or
5 temporary. Employees shall be transferred without loss of
6 salary, seniority (except as prescribed by applicable collective
7 bargaining agreements), retention points, prior service credit,
8 any vacation and sick leave credits previously earned, and other
9 rights, benefits, and privileges, in accordance with state
10 personnel laws and this Act; provided that the employees possess
11 the minimum qualifications and public employment requirements
12 for the class or position to which transferred or appointed, as
13 applicable; provided further that subsequent changes in status
14 may be made pursuant to applicable civil service and
15 compensation laws.

16 Any employee who, prior to this Act, is exempt from civil
17 service and is transferred as a consequence of this Act may
18 retain the employee's exempt status, but shall not be appointed
19 to a civil service position as a consequence of this Act. An
20 exempt employee who is transferred by this Act shall not suffer
21 any loss of prior service credit, vacation or sick leave credits



1 previously earned, or other employee benefits or privileges as a
2 consequence of this Act; provided that the employees possess
3 legal and public employment requirements for the position to
4 which transferred or appointed, as applicable; provided further
5 that subsequent changes in status may be made pursuant to
6 applicable employment and compensation laws. The director of
7 business, economic development, and tourism may prescribe the
8 duties and qualifications of these employees and fix their
9 salaries without regard to chapter 76, Hawaii Revised Statutes.

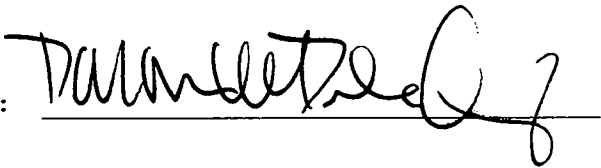
10 SECTION 5. All rules, policies, procedures, guidelines,
11 and other material adopted or developed by the University of
12 Hawaii to implement provisions of the Hawaii Revised Statutes
13 that are reenacted or made applicable to the department of
14 business, economic development, and tourism by this Act shall
15 remain in full force and effect until amended or repealed by the
16 department of business, economic development, and tourism
17 pursuant to chapter 91, Hawaii Revised Statutes. In the
18 interim, every reference to the University of Hawaii or vice
19 president for community colleges in those rules, policies,
20 procedures, guidelines, and other material is amended to refer
21 to the department of business, economic development, and tourism



1 or director of business, economic development, and tourism, as
2 appropriate.

3 SECTION 6. This Act shall take effect upon its approval.

4

INTRODUCED BY: 



S.B. NO. 208

Report Title:

Department of Business, Economic Development, and Tourism;
University of Hawaii; Culinary Institute of the Pacific;
Attached Agency; Transfer

Description:

Transfers the Culinary Institute of the Pacific from the
University of Hawaii to the Department of Business, Economic
Development, and Tourism as an administratively attached agency.

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