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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. All rights, powers, functions, and duties of  
2 the aquaculture and livestock support services branch of the  
3 department of agriculture and biosecurity are transferred to the  
4 agribusiness development corporation.

5 All officers and employees whose functions are transferred  
6 by this Act shall be transferred with their functions and shall  
7 continue to perform their regular duties upon their transfer,  
8 subject to the state personnel laws and this Act.

9 No officer or employee of the State having tenure shall  
10 suffer any loss of salary, seniority, prior service credit,  
11 vacation, sick leave, or other employee benefit or privilege as  
12 a consequence of this Act, and such officer or employee may be  
13 transferred or appointed to a civil service position without the  
14 necessity of examination; provided that the officer or employee  
15 possesses the minimum qualifications for the position to which  
16 transferred or appointed; and provided that subsequent changes



1 in status may be made pursuant to applicable civil service and  
2 compensation laws.

3 An officer or employee of the State who does not have  
4 tenure and who may be transferred or appointed to a civil  
5 service position as a consequence of this Act shall become a  
6 civil service employee without the loss of salary, seniority,  
7 prior service credit, vacation, sick leave, or other employee  
8 benefits or privileges and without the necessity of examination;  
9 provided that such officer or employee possesses the minimum  
10 qualifications for the position to which transferred or  
11 appointed.

12 If an office or position held by an officer or employee  
13 having tenure is abolished, the officer or employee shall not  
14 thereby be separated from public employment, but shall remain in  
15 the employment of the State with the same pay and classification  
16 and shall be transferred to some other office or position for  
17 which the officer or employee is eligible under the personnel  
18 laws of the State as determined by the head of the department or  
19 the governor.

20 SECTION 2. All rights, powers, functions, and duties of  
21 the agricultural development division of the department of



1 agriculture and biosecurity are transferred to the agribusiness  
2 development corporation.

3 All officers and employees whose functions are transferred  
4 by this Act shall be transferred with their functions and shall  
5 continue to perform their regular duties upon their transfer,  
6 subject to the state personnel laws and this Act.

7 No officer or employee of the State having tenure shall  
8 suffer any loss of salary, seniority, prior service credit,  
9 vacation, sick leave, or other employee benefit or privilege as  
10 a consequence of this Act, and such officer or employee may be  
11 transferred or appointed to a civil service position without the  
12 necessity of examination; provided that the officer or employee  
13 possesses the minimum qualifications for the position to which  
14 transferred or appointed; and provided that subsequent changes  
15 in status may be made pursuant to applicable civil service and  
16 compensation laws.

17 An officer or employee of the State who does not have  
18 tenure and who may be transferred or appointed to a civil  
19 service position as a consequence of this Act shall become a  
20 civil service employee without the loss of salary, seniority,  
21 prior service credit, vacation, sick leave, or other employee



1 benefits or privileges and without the necessity of examination;  
2 provided that such officer or employee possesses the minimum  
3 qualifications for the position to which transferred or  
4 appointed.

5 If an office or position held by an officer or employee  
6 having tenure is abolished, the officer or employee shall not  
7 thereby be separated from public employment, but shall remain in  
8 the employment of the State with the same pay and classification  
9 and shall be transferred to some other office or position for  
10 which the officer or employee is eligible under the personnel  
11 laws of the State as determined by the head of the department or  
12 the governor.

13 SECTION 3. All appropriations, records, equipment,  
14 machines, files, supplies, contracts, books, papers, documents,  
15 maps, and other personal property heretofore made, used,  
16 acquired, or held by the department of agriculture and  
17 biosecurity relating to the functions transferred to the  
18 agribusiness development corporation shall be transferred with  
19 the functions to which they relate.

20 SECTION 4. All rules, policies, procedures, guidelines,  
21 and other material adopted or developed by the department of



1 agriculture and biosecurity to implement provisions of the  
2 Hawaii Revised Statutes that are reenacted or made applicable to  
3 the agribusiness development corporation by this Act shall  
4 remain in full force and effect until amended or repealed by the  
5 agribusiness development corporation pursuant to chapter 91,  
6 Hawaii Revised Statutes.

7 In the interim, every reference to the department of  
8 agriculture and biosecurity in those rules, policies,  
9 procedures, guidelines, and other material is amended to refer  
10 to the agribusiness development corporation, as appropriate.

11 SECTION 5. All deeds, leases, contracts, loans,  
12 agreements, permits, or other documents executed or entered into  
13 by or on behalf of the department of agriculture and biosecurity  
14 pursuant to the provisions of the Hawaii Revised Statutes that  
15 are reenacted or made applicable to the agribusiness development  
16 corporation by this Act shall remain in full force and effect.

17 Upon the effective date of this Act, every reference to the  
18 department of agriculture and biosecurity or the chairperson of  
19 the board of agriculture and biosecurity therein shall be  
20 construed as a reference to the agribusiness development



- 1** corporation or the executive director of the agribusiness
- 2** development corporation, as appropriate.
- 3** SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

DAB; ADC; Aquaculture and Livestock Support Services Branch;  
Agricultural Development Division; Transfer

**Description:**

Transfers powers, duties, personnel, personal property, and materials of the Aquaculture and Livestock Support Services Branch and Agricultural Development Division of the Department of Agriculture and Biosecurity to the Agribusiness Development Corporation. Effective 7/1/3000. (HD1)

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

