
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
14 biosecurity, pursuant to the provisions of the Hawaii Revised
15 Statutes, that are reenacted or made applicable to the
16 agribusiness development corporation by this Act shall remain in
17 full force and effect. Upon the effective date of this Act,
18 every reference to the department of agriculture and biosecurity
19 or the chairperson of the board agriculture and biosecurity
20 therein shall be construed as a reference to the agribusiness



1 development corporation or the executive director of the
2 agribusiness development corporation, as appropriate.

3 SECTION 6. Notwithstanding any provision of this Act to
4 the contrary, all regulatory functions and authority related to
5 animal health, biosecurity enforcement, inspections, and
6 permitting compliance under the jurisdiction of the aquaculture
7 and livestock support services branch and agricultural
8 development division of the department of agriculture and
9 biosecurity shall remain with the department of agriculture and
10 biosecurity and shall not be transferred to the agribusiness
11 development corporation pursuant to this Act.

12 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

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

Description:

Transfers oversight of the Aquaculture and Livestock Support Services Branch of the Department of Agriculture and Biosecurity to the Agribusiness Development Corporation. Transfers the Agricultural Development Division of DAB to the ADC. Requires that certain regulatory functions related to animal health, biosecurity enforcement, inspections, and permitting compliance remain within DAB. Effective 7/1/2050. (SD1)

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

