
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. Except as provided in section 5 of this Act,
2 all rights, powers, functions, and duties of the aquaculture and
3 livestock support services branch of the department of
4 agriculture and biosecurity that relate to agricultural
5 enterprises, as that term is defined in section 141D-2, Hawaii
6 Revised Statutes, are transferred to the agribusiness
7 development corporation.

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

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



1 possesses the minimum qualifications for the position to which
2 transferred or appointed; and provided that subsequent changes
3 in status may be made pursuant to applicable civil service and
4 compensation laws.

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

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



1 SECTION 2. All appropriations, records, equipment,
2 machines, files, supplies, contracts, books, papers, documents,
3 maps, and other personal property heretofore made, used,
4 acquired, or held by the department of agriculture and
5 biosecurity relating to the functions transferred to the
6 agribusiness development corporation shall be transferred with
7 the functions to which they relate.

8 SECTION 3. All rules, policies, procedures, guidelines,
9 and other material adopted or developed by the department of
10 agriculture and biosecurity to implement provisions of the
11 Hawaii Revised Statutes that are reenacted or made applicable to
12 the agribusiness development corporation by this Act shall
13 remain in full force and effect until amended or repealed by the
14 agribusiness development corporation pursuant to chapter 91,
15 Hawaii Revised Statutes.

16 In the interim, every reference to the department of
17 agriculture and biosecurity in those rules, policies,
18 procedures, guidelines, and other material is amended to refer
19 to the agribusiness development corporation, as appropriate.

20 SECTION 4. All deeds, leases, contracts, loans,
21 agreements, permits, or other documents executed or entered into



1 by or on behalf of the department of agriculture and
2 biosecurity, pursuant to the provisions of the Hawaii Revised
3 Statutes, that are reenacted or made applicable to the
4 agribusiness development corporation by this Act shall remain in
5 full force and effect. Upon the effective date of this Act,
6 every reference to the department of agriculture and biosecurity
7 or the chairperson of the board agriculture and biosecurity
8 therein shall be construed as a reference to the agribusiness
9 development corporation or the executive director of the
10 agribusiness development corporation, as appropriate.

11 SECTION 5. Notwithstanding any provision of this Act to
12 the contrary, all regulatory functions and authority of the
13 aquaculture and livestock support services branch of the
14 department of agriculture and biosecurity shall remain with the
15 department of agriculture and biosecurity and shall not be
16 transferred to the agribusiness development corporation pursuant
17 to this Act.

18 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

DAB; ADC; Aquaculture and Livestock Support Services Branch;
Agricultural Enterprises; Transfer

Description:

Transfers the rights, powers, functions, and duties of the Aquaculture and Livestock Support Services Branch of the Department of Agriculture and Biosecurity that relate to agricultural enterprises to the Agribusiness Development Corporation. Requires that the regulatory functions of the Aquaculture and Livestock Support Services Branch remain within the Department of Agriculture and Biosecurity. Effective 7/1/2050. (SD2)

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