

ACT 132

An Act Amending Act 1 of the First State Legislature, Second Special Session 1959, Relating to the Department of Agriculture and Conservation, the Department of Land and National Resources and Functions Relating Thereto.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Act 1 of the First State Legislature, Second Special Session 1959 (Hawaii State Reorganization Act of 1959) is hereby amended in the following respects:

(a) By deleting the words "department of agriculture and conservation", "board of agriculture and conservation" and "director of agriculture and conservation" wherever found in said Act and substituting the words "department of agriculture", "board of agriculture" and "director of agriculture", respectively.

(b) By amending the third paragraph of section 21 by adding a period after the word "board" on line 4 of said paragraph and deleting the rest of the sentence.

(c) By amending the fourth paragraph of section 21 to read as follows:
"The department shall manage and administer the public lands of the State and the water resources and minerals thereon; shall manage and administer the forest, fish and game resources of the State; and manage the forest reserve and state parks, including historical sites."

(d) By adding the following words after the word "parks" in the seventh paragraph of section 21: "and the function of promoting the conservation, development and utilization of forest, including the regulatory powers over the forest reserve, fish and game resources of the State."

(e) By deleting the last paragraph of section 21.

(f) By amending section 22 to read as follows:

"Sec. 22. Department of agriculture. The department of agriculture shall be headed by an executive board to be known as the board of agriculture.

The board shall appoint and may remove an executive officer to be known as the director of agriculture.

The composition of the board shall be as heretofore provided by law for the board of commissioners of agriculture and forestry existing immediately prior to November 25, 1959, with the addition of the director of agriculture who shall be an ex officio voting member of the board.

The department shall promote the conservation, development and utilization of agricultural resources in the State; assist the farmers of the State and any others engaged in agriculture by research projects, dissemination of information, crop and livestock reporting service, market news service and any other means of improving the well being of those engaged in agriculture and increasing the productivity of the lands, and administer the programs of the State relating to animal husbandry, entomology, soil conservation, farm credit, development of agricultural products and the establishment and enforcement of the rules and regulations on the grading and labeling of agricultural products.

The functions and authority heretofore exercised, by the board of commissioners of agriculture and forestry (except the management of state parks and the conservation, development and utilization of forest resources, including regulatory powers over the forest reserve provided in Act 234, Session Laws of Hawaii 1957, and of fish and game resources transferred to the department of land and natural resources), by the Hawaii soil conservation committee and the farm loan board as heretofore constituted, and by the University of Hawaii with respect to the crop and livestock reporting service and market news service, are hereby transferred to the department of agriculture established by this Act."

(g) By deleting section 23 in its entirety.

(h) By deleting the words "the development and promotion of the products of agriculture" and substituting therefor the words "the promotion of the products of agriculture and the development and promotion of" and by deleting the words "farm and" in the second paragraph of section 25.

(i) By deleting the words "the board of commissioners of agriculture and forestry with respect to the establishment of rules and regulations on the grading and labeling of agricultural products, the farm loan board," in the fourth paragraph of section 25.

SECTION 2. Amendment of conflicting laws. All laws and parts of laws heretofore enacted which are in conflict with the provisions of this Act are hereby amended to conform herewith. All Acts passed during this General Session 1961, whether enacted before or after the passage of this Act, shall be amended to conform to this Act, unless such Acts specifically provide that this Act is being amended.

SECTION 3. Formulation of program. The department of agriculture shall formulate a program for the definition and attainment of the State's objectives in the field of agriculture, and shall submit such program together with requested appropriations and recommended staffing, to the 1962 Budget Session of the Legislature of the State of Hawaii.

SECTION 4. Transfer. The functions and authority transferred by this Act shall be transferred as of July 1, 1961, together with personnel, appropriations, records, equipment and other property employed in performing the functions; provided that the crop and livestock reporting service and market news service functions of the University of Hawaii need not be transferred to the department of agriculture as of July 1, 1961, but shall be transferred as expeditiously as possible without disruption of the service

ACT 132

or the removal or transfer from the University of equipment or personnel needed for other functions of the University.

SECTION 5. This Act shall take effect on July 1, 1961.

(Approved June 30, 1961.) **S.B. 363.**
