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S.B. NO. 139

A Bill for an Act Relating to Transfer of Parks Between the State and the Counties.

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

SECTION 1. Subject to the governor of the State and the mayor of the city and county of Honolulu entering into a written agreement providing for the transfer, the estate, right, title, and interest, and any appurtenance thereto, of the State relating to Honolulu Stadium State Park, Sans Souci State Recreation Area, and Aina Moana State Recreation Area shall be vested in the city and county of Honolulu, and the estate, right, title, and interest, and any appurtenance thereto, of the city and county of Honolulu relating to Kawainui Marsh, Kahana Bay Beach Park, Hanauma Bay, Kuilei Cliffs/Diamond Head Beach Park shall be vested in the State.

SECTION 2. No personnel or equipment shall be included in the transfer authorized by Section 1 of this Act.

No officer or employee of the State or county having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other

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employee benefit or privilege as a consequence of this Act. In the event that an office or position held by an officer or employee is abolished, the officer or employee shall not thereby be separated from public employment, but shall remain in the employment of the State or the county, as the case may be, with the same pay and classification and shall be transferred to some other office or position for which the officer or employee is eligible under the personnel laws of the State as determined by the head of the department, the governor, or the mayor, as the case may be.

SECTION 3. It is the intent of this Act not to jeopardize the receipt of any federal aid nor to impair the obligation of the State or the city and county of Honolulu or any agency thereof to the holders of any bond issued by the State or the city and county of Honolulu or by any agency thereof, and to the extent, and only to the extent, necessary to effectuate this intent, the governor may modify the strict provisions of this Act, but shall promptly report any such modification with reasons therefor to the legislature at its next session thereafter for review by the legislature.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 18, 1984.)