

JAN 18 2023

A BILL FOR AN ACT

RELATING TO AQUACULTURE.

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

1 SECTION 1. (a) There is established an aquaculture
2 development branch within the department of business, economic
3 development, and tourism to generate diversified agriculture
4 solutions for moving the State towards greater food self-
5 sufficiency and foster viable export industries, and to provide
6 a broad range of support to new and existing aquaculture and
7 livestock businesses through planning and coordination, business
8 counseling, and information dissemination efforts.

9 (b) The department of business, economic development, and
10 tourism shall adopt rules pursuant to chapter 91, Hawaii Revised
11 Statutes, necessary to effectuate the purpose of this Act.

12 SECTION 2. All rights, powers, functions, and duties of
13 the aquaculture and livestock support services branch within the
14 department of agriculture are transferred to the aquaculture
15 development branch within the department of business, economic
16 development and tourism.



1 All employees who occupy civil service positions and whose
2 functions are transferred to the aquaculture development branch
3 within the department of business, economic development, and
4 tourism by this Act shall retain their civil service status,
5 whether permanent or temporary. Employees shall be transferred
6 without loss of salary, seniority (except as prescribed by
7 applicable collective bargaining agreements), retention points,
8 prior service credit, any vacation and sick leave credits
9 previously earned, and other rights, benefits, and privileges,
10 in accordance with state personnel laws and this Act; provided
11 that the employees possess the minimum qualifications and public
12 employment requirements for the class or position to which
13 transferred or appointed, as applicable; provided further that
14 subsequent changes in status may be made pursuant to applicable
15 civil service and compensation laws.

16 Any employee who, prior to this Act, is exempt from civil
17 service and is transferred as a consequence of this Act may
18 retain the employee's exempt status, but shall not be appointed
19 to a civil service position as a consequence of this Act. An
20 exempt employee who is transferred by this Act shall not suffer
21 any loss of prior service credit, vacation or sick leave credits



1 previously earned, or other employee benefits or privileges as a
2 consequence of this Act; provided that the employees possess
3 legal and public employment requirements for the position to
4 which transferred or appointed, as applicable; provided further
5 that subsequent changes in status may be made pursuant to
6 applicable employment and compensation laws. The director of
7 the department of business, economic development, and tourism
8 may prescribe the duties and qualifications of these employees
9 and fix their salaries without regard to chapter 76, Hawaii
10 Revised Statutes.

11 SECTION 3. All appropriations, records, equipment,
12 machines, files, supplies, contracts, books, papers, documents,
13 maps, and other personal property heretofore made, used,
14 acquired, or held by the aquaculture and livestock support
15 services branch within the department of agriculture relating to
16 the functions transferred to the aquaculture development branch
17 within the department of business, economic development, and
18 tourism shall be transferred with the functions to which they
19 relate.

20 SECTION 4. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2023-2024 and
 2 the same sum or so much thereof as may be necessary for fiscal
 3 year 2024-2025 for the establishment of an aquaculture
 4 development branch within the department of business, economic
 5 development, and tourism.

6 The sums appropriated shall be expended by the department
 7 of business, economic development, and tourism for the purposes
 8 of this Act.

9 SECTION 5. There is appropriated out of the general
 10 revenues of the State of Hawaii the sum of \$ or so
 11 much thereof as may be necessary for fiscal year 2023-2024 and
 12 the same sum or so much thereof as may be necessary for fiscal
 13 year 2024-2025 for the establishment of full-time
 14 equivalent (FTE) permanent positions within the
 15 aquaculture development branch established pursuant to this Act.

16 The sums appropriated shall be expended by the department
 17 of business, economic development, and tourism for the purposes
 18 of this Act.

19 SECTION 6. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: *Maureen L. Hironaka*



S.B. NO. 96

Report Title:

Aquaculture Development Branch; Department of Business, Economic Development, and Tourism; Aquaculture and Livestock Services Branch; Department of Agriculture; Appropriation

Description:

Establishes the Aquaculture Development Branch within the Department of Business, Economic Development, and Tourism. Transfers the rights, powers, functions, duties, employees, and other capital of the Aquaculture and Livestock Services Branch of the Department of Agriculture to the new Aquaculture Development Branch. Makes appropriations.

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