

ACT 30

S.B. NO. 491

A Bill for an Act Relating to the Department of Agriculture.

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

**PART I. GENERAL PROVISIONS**

SECTION 1. Unless otherwise clear from the context, as used in this Act:

“Expending agency” means the department of agriculture.

Abbreviations, where used to denote the expending agency, shall mean the following:

AGR      Department of agriculture

“Means of financing” or “MOF” means the source from which funds are appropriated or authorized to be expended for the programs and projects specified in this Act. All appropriations are followed by letter symbols. Such letter symbols, where used, shall have the following meanings:

A      General funds

B      Special funds

“Position ceiling” means the maximum number of permanent and temporary full-time equivalent positions authorized for a particular program during a specified period or periods, as denoted by an asterisk for permanent full-time equivalent positions and a pound sign for temporary full-time equivalent positions.

“Program ID” means the unique identifier for the specific program and consists of the abbreviation for the organization responsible for carrying out the program followed by the organization number for the program.

## PART II. PROGRAM APPROPRIATIONS

SECTION 2. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are hereby appropriated or authorized, as the case may be, from the means of financing specified to the expending agencies designated for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The total expenditures and the number of positions in each fiscal year of the biennium shall not exceed the sums and the position ceilings indicated for each fiscal year, except as provided elsewhere in this Act or as provided by general law.

PROGRAM APPROPRIATIONS					
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
1.	AGR151	QUALITY AND PRICE ASSURANCE			
		OPERATING	AGR	3.00 * 221,422 A	3.00 * 221,422 A
			AGR	1.00 * 66,708 B	1.00 * 66,708 B
2.	AGR192	GENERAL ADMINISTRATION FOR AGRICULTURE			
		OPERATING	AGR	1.00 * 94,932 A	1.00 * 94,932 A
3.	AGR812	MEASUREMENT STANDARDS			
		OPERATING	AGR	4.00 * 231,192 B	4.00 * 231,192 B

## PART III. PROVISIONS

SECTION 3. Provided that of the general fund appropriation for quality and price assurance (AGR151), the sum of \$89,878 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for a commodities program manager.

SECTION 4. Provided that of the general fund appropriation for quality and price assurance (AGR151), the sum of \$84,612 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an agricultural commodities marketing specialist V.

SECTION 5. Provided that of the special fund appropriation for quality and price assurance (AGR151), the sum of \$66,708 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an agricultural commodities marketing specialist V.

SECTION 6. Provided that of the general fund appropriation for quality and price assurance (AGR151), the sum of \$46,932 or so much thereof as may

be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an agricultural commodities marketing specialist III.

SECTION 7. Provided that of the special fund appropriation for measurement standards (AGR812), the sum of \$153,936 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for three (3.00) measurement standards inspector V.

SECTION 8. Provided that of the special fund appropriation for measurement standards (AGR812), the sum of \$77,256 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for a measurement standards program manager.

SECTION 9. Provided that of the general fund appropriation for general administration (AGR192), the sum of \$94,932 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an administrative services officer.

SECTION 10. Provided that, notwithstanding any provision contained in the General Appropriations Act of 2019 that appropriates funds and establishes position ceilings, the positions authorized in section 2 shall be in addition to the positions authorized for that program under the General Appropriations Act of 2019; provided further that any incumbent employee shall retain the employee's:

- (1) Civil service status, whether permanent or temporary; and
- (2) Salary, seniority (except as may be prescribed by applicable collective bargaining agreement), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws.

SECTION 11. Notwithstanding any law to the contrary, provided that the funds appropriated in this Act may be transferred with the approval of the governor to the General Appropriations Act of 2019 (House Bill No. 2, H.D. 1, S.D. 1, C.D. 1),<sup>1</sup> for program execution and expenditure.

SECTION 12. If any portion of this Act or its application to any person, entity, or circumstance is held to be invalid for any reason, then the legislature declares that the remainder of the Act and each and every other provision thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be expended to fulfill the objective of such appropriation to the extent possible.

SECTION 13. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct the errors.

SECTION 14. This Act shall take effect on June 28, 2019.

(Approved April 26, 2019.)

**Note**

1. Act 5.