

1 B Special funds

2 W Revolving funds

3 "Position ceiling" means the maximum number of permanent
4 and temporary full-time equivalent positions authorized for a
5 particular program during a specified period or periods, as
6 denoted by an asterisk for permanent full-time equivalent
7 positions and a pound sign for temporary full-time equivalent
8 positions.

9 "Program ID" means the unique identifier for the specific
10 program and consists of the abbreviation for the organization
11 responsible for carrying out the program followed by the
12 organization number for the program.

13 **PART II. PROGRAM APPROPRIATIONS**

14 SECTION 3. APPROPRIATIONS. The following sums, or so much
15 thereof as may be sufficient to accomplish the purposes and
16 programs designated herein, are hereby appropriated or
17 authorized, as the case may be, from the means of financing
18 specified to the expending agencies designated for the fiscal
19 biennium beginning July 1, 2019, and ending June 30, 2021. The
20 total expenditures and the number of positions in each fiscal
21 year of the biennium shall not exceed the sums and the position



1 ceilings indicated for each fiscal year, except as provided
2 elsewhere in this part or as provided by general law.
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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1.	AGR161	- AGRIBUSINESS DEVELOPMENT AND RESEARCH		10.00*		10.00*	
				2.00#		2.00#	
	OPERATING		AGR	2,030,293A		930,293A	
			AGR	500,000B		500,000B	
				12.00#		12.00#	
			AGR	4,741,879W		4,544,718W	

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1 **PART III. MISCELLANEOUS BUDGET PROVISIONS**

2 SECTION 4. Provided that any funds appropriated pursuant
3 to part II shall be included in the base budget of the AGR161 -
4 agribusiness development and research, as established in the
5 General Appropriations Act of 2019 (House Bill No. 2, H.D. 1,
6 S.D. 1, C.D. 1).

7 SECTION 5. Provided that, notwithstanding any provision
8 contained in the General Appropriations Act of 2019 (House Bill
9 No. 2, H.D. 1, S.D. 1, C.D. 1) that appropriates funds and
10 establishes position ceilings, the positions authorized in part
11 II shall be in addition to the positions authorized for that
12 program under the General Appropriations Act of 2019; provided
13 further that any incumbent employee shall retain the employee's:

14 (1) Civil service status, whether permanent or temporary;
15 and

16 (2) Salary, seniority (except as may be prescribed by an
17 applicable collective bargaining agreement), retention
18 points, prior service credit, any vacation and sick
19 leave credits previously earned, and other rights,
20 benefits, and privileges, in accordance with state
21 personnel laws.



1 SECTION 6. Provided that, notwithstanding any law to the
2 contrary, the position ceilings and funds appropriated in this
3 Act may be transferred with the approval of the governor to the
4 General Appropriations Act of 2019 (House Bill No. 2, H.D. 1,
5 S.D. 1, C.D. 1), for program execution and expenditure.

6 SECTION 7. If any portion of parts I, II, and III or its
7 application to any person, entity, or circumstance is held to be
8 invalid for any reason, then the legislature declares that the
9 remainder of the Act and each and every other provision thereof
10 shall not be affected thereby. If any portion of a specific
11 appropriation is held to be invalid for any reason, the
12 remaining portion shall be expended to fulfill the objective of
13 the appropriation to the extent possible.

14 SECTION 8. If manifest clerical, typographical, or other
15 mechanical errors are found in parts I, II, and III, the
16 governor may correct the errors.

17 **PART IV. STATUTORY PROVISIONS**

18 SECTION 9. Section 163D-19, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "[+]§163D-19[+] **Annual report.** (a) The corporation shall
21 submit to the governor and the legislature, no later than twenty



1 days prior to the convening of each regular session, a complete
2 and detailed report of its plans and activities.

3 (b) The following information shall be included in the
4 annual report and shall be posted on the corporation's website:

5 (1) The number of lots the corporation leased or used, by
6 size and island;

7 (2) The number of lots the corporation leased or used, by
8 island, that contain protocols and conditions
9 supporting specialty farm products;

10 (3) The number of vacant parcels and unoccupied parcels in
11 the leasing process, by island, including the parcel
12 size, location, and date the parcel was last occupied
13 by a tenant; and

14 (4) A description of any lease sales or transfers approved
15 by the corporation, including:

16 (A) A description of the type of farm products
17 produced by the transferring lessee and the farm
18 products to be produced by the accepting lessee
19 on the leased lands; and

20 (B) The date and description of the transferring
21 lessee's last lease approved by the corporation."



1 **PART V. PERFORMANCE AND FINANCIAL AUDIT**

2 SECTION 10. The auditor shall conduct a performance audit
3 of the agribusiness development corporation, established
4 pursuant to chapter 163D, Hawaii Revised Statutes. The auditor
5 may conduct a financial audit if sufficient funds are available.
6 The auditor shall submit a report to the legislature of its
7 findings and recommendations, including any proposed
8 legislation, no later than twenty days prior to the convening of
9 the regular session of 2021.

10 SECTION 11. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$100,000 or so much
12 thereof as may be necessary for fiscal year 2019-2020 for the
13 office of the auditor to contract with an accounting firm to
14 conduct a financial audit of the agribusiness development
15 corporation.

16 The sum appropriated shall be expended by the office of the
17 auditor for the purposes of this part.

18 **PART VI. ENVIRONMENTAL ASSESSMENT AND APPRAISAL**

19 SECTION 12. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$20,000 or so much
21 thereof as may be necessary for fiscal year 2019-2020 for an



1 environmental assessment and appraisal of the property
2 identified as TMK (1) 9-2-001:011-0000.

3 The sum appropriated shall be expended by the department of
4 agriculture for the purposes of this section.

5 **PART VII. RAMSEYERIN PROVISIONS AND EFFECTIVE DATE**

6 SECTION 13. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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



Report Title:

Agribusiness Development Corporation; Operating Budget; Audit; Reporting; Appropriation

Description:

Appropriates funds for the fiscal biennium 2019-2021 operating budget of the Agribusiness Development Corporation (ADC). Requires the Auditor to conduct a performance audit of the ADC. Appropriates funds for the Auditor to contract with an accounting firm to conduct a financial audit of the ADC. Requires the ADC to annually report and post on its website specified information. Appropriates funds for an environmental assessment and appraisal of certain real property. Effective 6/28/2019. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

