

**74-5,118. Transfer of officers and employees; rights and benefits preserved.** (a) The secretary of agriculture shall determine such employees as are necessary to enable the secretary to carry out the duties of the agriculture marketing and promotions program. All officers and employees of the agriculture products development division within the department of commerce who, immediately prior to the effective date of K.S.A. 2014 Supp. 74-5,112 through 74-5,132, and amendments thereto, are engaged in the exercise and performance of the powers, duties and functions transferred by K.S.A. 2014 Supp. 74-5,112 through 74-5,132, and amendments thereto, who are determined by the secretary of agriculture to be engaged in providing administrative, technical or other support services that are essential to the exercise and performance of the powers, duties and functions transferred by K.S.A. 2014 Supp. 74-5,112 through 74-5,132, and amendments thereto, are hereby transferred to the agriculture marketing and promotions program within the Kansas department of agriculture. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary of agriculture may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(b) Officers and employees of the agriculture products development division within the department of commerce transferred by K.S.A. 2014 Supp. 74-5,112 through 74-5,132, and amendments thereto, shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such officer and employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in K.S.A. 2014 Supp. 74-5,112 through 74-5,132, and amendments thereto, shall affect the classified status of any transferred person employed by the agriculture products development division of the department of commerce prior to the date of transfer.

**History:** Executive Reorganization Order No. 40, § 7; L. 2011, ch. 135, § 7; July 1.