

JAN 20 2012

A BILL FOR AN ACT

RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION.

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

1 SECTION 1. Section 103D-102, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Notwithstanding subsection (a), this chapter shall
4 not apply to contracts made by:

5 (1) Any regional system board of the Hawaii health systems
6 corporation;

7 (2) The Kaho'olawe island reserve commission, except as
8 provided by section 6K-4.5; [~~or~~

9 ~~+~~](3) [~~+~~] Except with respect to sections 103D-110, 103D-304 with
10 respect to design professional services furnished by
11 licensees under chapter 464, 103D-324, 103D-707, and
12 103D-1002, the university or the board of regents of
13 the university~~[-]~~; or

14 (4) The agribusiness development corporation under chapter
15 163D."

16 SECTION 2. Section 163D-18, Hawaii Revised Statutes, is
17 amended to read as follows:



1 "~~§~~163D-18~~[-]~~ Exemption from taxation; procurement;
2 county permits. (a) The corporation shall not be required to
3 pay state taxes of any kind.

4 (b) The corporation shall be exempt from the Hawaii public
5 procurement code under chapter 103D, for contracts, as defined
6 in section 103D-104, made by the corporation.

7 (c) The corporation shall be exempt from obtaining county
8 permits for the development and implementation of agricultural
9 projects under section 163D-7; provided that:

10 (1) Applicable county permit requirements are met
11 nonetheless; and

12 (2) The corporation shall coordinate with county officials
13 on the preparation of agricultural development plans
14 for projects under section 163D-7 to ensure that
15 ordinances applicable to permitted uses within
16 agricultural districts, as provided in sections 205-2
17 and 205-4.5, are met."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval;
21 provided that the amendments made to section 103D-102(c), Hawaii
22 Revised Statutes, pursuant to section 1 of this Act shall not be



1 repealed when that section is reenacted on July 1, 2012,
2 pursuant to Act 175, Session Laws of Hawaii 2009, and Act 82,
3 Session Laws of Hawaii 2010, and on July 1, 2013, pursuant to
4 Act 159, Session Laws of Hawaii 2010.

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INTRODUCED BY:

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S.B. NO. 2353

Report Title:

Agribusiness Development Corporation; Procurement

Description:

Exempts the agribusiness development corporation from procurement code. Exempts corporation from obtaining county permits in the development and implementation of agricultural projects but requires the corporation to meet certain county requirements.

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