



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

GOV. MSG. NO. 1280

July 1, 2014

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

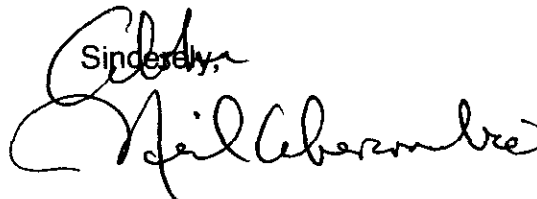
The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 1, 2014, the following bill was signed into law:

HB2543 SD1 CD1

RELATING TO THE ISSUANCE OF SPECIAL
PURPOSE REVENUE BONDS TO ASSIST
BIOTORK HAWAII LLC
ACT 177 (14)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

00 JUL 1 2014
HOUSE OF REPRESENTATIVES
TWENTY-SEVENTH LEGISLATURE, 2014
STATE OF HAWAII

ACT 177
H.B. NO.

2543
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO
ASSIST BIOTORK HAWAII LLC.

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

1 SECTION 1. The legislature finds that it is in the State's
2 interest to convert crops, crop residues, dedicated energy
3 crops, and agricultural wastes into economically- and
4 environmentally-sustainable biofuels and value-added co-
5 products. In so doing, the State advances agricultural and
6 energy initiatives that promote sustainability and self-
7 sufficiency. The legislature finds that BioTork Hawaii LLC
8 proposes to build, own, and operate facilities to convert
9 agricultural crops and by-products like albizia, sweet potatoes,
10 papaya, sugarcane bagasse, and molasses to biofuels and high-
11 protein feed. The legislature also finds that part V, chapter
12 39A, Hawaii Revised Statutes, permits the State to financially
13 assist industrial enterprises through the issuance of special
14 purpose revenue bonds.

15 SECTION 2. The legislature finds and declares that the
16 issuance of special purpose revenue bonds under this Act is in



1 the public interest and for the public health, safety, and
2 general welfare.

3 SECTION 3. Pursuant to part V, chapter 39A, Hawaii Revised
4 Statutes, the department of budget and finance, with the
5 approval of the governor, is authorized to issue special purpose
6 revenue bonds in a total amount not to exceed \$50,000,000, in
7 one or more series, for the purpose of assisting BioTork Hawaii
8 LLC, a Delaware corporation, for the planning, permitting,
9 design, construction, equipping, and operation of a facility
10 capable of converting agricultural crops and by-products to
11 biofuels and high-protein feed. The legislature hereby finds
12 that the activity and facilities of BioTork Hawaii LLC in the
13 development and operation of a facility capable of converting
14 agricultural crops and by-products to biofuels and high-protein
15 feed constitutes a project as defined in part V, chapter 39A,
16 Hawaii Revised Statutes, and the financing thereof is assistance
17 to an industrial enterprise.

18 SECTION 4. The special purpose revenue bonds and the
19 refunding special purpose revenue bonds issued under this Act
20 shall be issued pursuant to part V, chapter 39A, Hawaii Revised
21 Statutes, relating to the power to issue special purpose revenue
22 bonds to assist industrial enterprises.

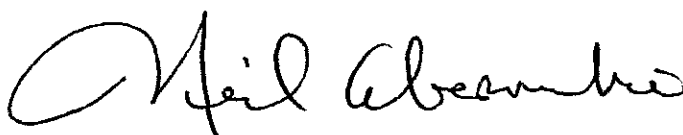


1 SECTION 5. The department of budget and finance is
2 authorized, from time to time, including times subsequent to
3 June 30, 2019, to issue special purpose revenue bonds in
4 whatever principal amounts the department shall determine to be
5 necessary to refund the special purpose revenue bonds authorized
6 in section 3 and to refund special purpose revenue bonds
7 authorized in this section, regardless of whether the
8 outstanding special purpose revenue bonds or refunding special
9 purpose revenue bonds have matured or are the subject of
10 redemption or whether the refunding special purpose revenue
11 bonds shall be bonds for the multi-project programs described in
12 section 3. In making this determination, the department shall
13 comply with federal law relating to the exemption from federal
14 income taxation of the interest on bonds of the nature
15 authorized by this section.

16 SECTION 6. The authorization to issue special purpose
17 revenue bonds under this Act shall lapse on June 30, 2019.

18 SECTION 7. This Act shall take effect on July 1, 2014.

APPROVED this 1 day of JUL , 2014



GOVERNOR OF THE STATE OF HAWAII

HB2543 CD1 HMS 2014-3436

