

ACT 188

S.B. NO. 2530

A Bill for an Act Relating to Agriculture.

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

SECTION 1. The legislature finds that the cessation of sugar operations in Hawaii has resulted in the loss of jobs and revenues to the State, the counties and to the citizens of Hawaii. The land formerly devoted to the growing of sugar cane is now available for commercial growing of a diverse number of crops, including cacao seedlings, cacao trees and their cacao bean crop. The establishment of new facilities in the State to process cacao beans and produce cacao and chocolate products would support the development of cacao nursery and farming operations and the marketing and sales of cacao and chocolate locally and for export. Such facilities would create an estimated one hundred new jobs directly in the processing and production operations, as well as additional new jobs in related nursery, farming, marketing and sales operations. Due to the economic conditions in the State, and the loss of many agricultural jobs, the creation of new jobs is imperative at this time.

The legislature also finds that it is particularly in the public interest to encourage and promote the development of new agriculture-related enterprises where and when that opportunity presents itself. The establishment of new facilities that can process cacao beans and produce cacao and chocolate products for use locally and for export is the type of enterprise that will provide such an opportunity for our State. The cacao processing and cacao and chocolate production facilities proposed by Hawaii Gold Cacao Tree, Inc., in the county of Hawaii is an excellent example of the type of enterprise that the legislature finds to be in the public interest.

The legislature finds and declares that the issuance of special purpose revenue bonds under this Act is in the public interest and for the public's general welfare.

SECTION 2. Pursuant to part IV, chapter 39A, Hawaii Revised Statutes, the department of budget and finance, with the approval of the governor, is authorized to issue special purpose revenue bonds in a total amount not to exceed \$10,000,000, in one or more series, for the purpose of assisting Hawaii Gold Cacao Tree, Inc., to finance the establishment of facilities in the county of Hawaii to process cacao beans and to manufacture and produce cacao and chocolate products. The legislature finds and determines that the planning, construction, and equipping of facilities to process cacao beans and to manufacture and produce cacao and chocolate products constitutes a project as defined in part IV, chapter 39A, Hawaii Revised Statutes, and the financing thereof is assistance to a processing enterprise.

SECTION 3. The department of budget and finance shall process applications for special purpose revenue bonds under this Act in accordance with the requirements of its "Formal Application for Financing of an Industrial Enterprise" as it existed on October 22, 1987. The department shall report to the legislature twenty days before the convening of the regular sessions of 2001 and 2002 regarding any progress made with respect to the issuance of the special purpose revenue bonds authorized by this Act.

SECTION 4. The special purpose revenue bonds issued under this Act shall be issued pursuant to part IV, chapter 39A, Hawaii Revised Statutes, relating to the power to issue special purpose revenue bonds to assist processing enterprises.

SECTION 5. The department of budget and finance is further authorized to issue from time to time refunding special purpose revenue bonds authorized in such principal amounts as the department shall determine to be necessary to refund the special purpose revenue bonds authorized in section 2.

SECTION 6. The authorization to issue special purpose revenue bonds under this Act shall lapse on June 30, 2003.

SECTION 7. This Act shall take effect upon its approval.

(Approved June 7, 2000.)