

ACT 89

S.B. NO. 2224-82

A Bill for an Act Relating to the Department of Planning and Economic Development.

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

SECTION 1. Section 201-4, Hawaii Revised Statutes, is amended to read:
“§201-4 **Contracts.** The department of planning and economic development

may contract with qualified private and public agencies, associations, firms, or individuals within or without the State in pursuance of its duties and functions; provided that preference shall be given to contractors within the State; provided further that preference shall be given to qualified parties who agree to match department funds in whole or in part with funds, equipment, materials, or services; provided further that funds to assist associations of producers, processors, or distributors of [agricultural or] industrial products to introduce products which are new or inadequately known to consumers shall be matched by funds equal to at least forty per cent of the funds contracted for by the department or expenses incurred by [it] the department in behalf of the associations; provided further that in instances where the promotion program will benefit one or more of the commodity groups as a whole or where a new or fragile commodity association or industry has the potential for growth but is unable to contribute its full matching share, the department may waive matching fund requirements for the first three years of any contract, but shall require twenty per cent matching funds for the fourth year of any such contract, and at least forty per cent matching funds for the fifth and all subsequent years of any such contract. [With respect to agricultural products and commodities, the department's activities shall be consistent with the policies, programs, and activities of the governor's agriculture coordinating committee.]

The contracts shall be approved in writing by the department and shall specify the name of the contractor, the nature of the work to be performed, the manner in which funds may be expended¹ and such data as the state comptroller may require. [The allocation of any such contract shall be presented to the state director of finance and expended by the state comptroller upon vouchers issued by the contractor and approved by the director of the department. No such contract shall be entered into by the department until all interested and qualified persons registered to do business in the State have been given a reasonable opportunity to submit their proposal of the manner in which the contract is to be performed and the results which can be achieved within the limit of the funds available, together with their qualifications to do the work.]

When necessary to effectuate the purposes of this part, funds to state agencies may authorize expenditures for the purchase of machinery and equipment and the erection and conversion of structures, laboratories, and buildings within the State, which facilities shall be and remain under the jurisdiction of the agencies. Private agencies, associations, firms, or individuals shall provide all structures and equipment necessary to effectuate the purposes of funds made to them, in which cases the value which may be attributed to the use of the facilities shall be considered as matching funds. The department shall retain under its own jurisdiction only such furniture, office equipment, and other equipment as is necessary for administration purposes.

The director of planning and economic development may prescribe rules, pursuant to chapter 91, to carry out provisions of this section relating to the manner in which associations of producers, processors, or distributors may be assisted. The rules may prescribe the qualifications for eligibility of associations for assistance under this section, the preferences and priorities in determining eligibility for such assistance, and the conditions, consistent with the purpose of this chapter, for the

granting or the continuance of assistance to such associations.”

SECTION 2. Section 201-31, Hawaii Revised Statutes, is amended to read:

“**§201-31 Federal funds.** Where the governor [or any agency of any governmental unit] or the department with the approval of the governor is able to secure federal funds made available under any act of the Congress of the United States to be expended in connection with or for [the planning and construction of any of the projects or works authorized by this part and Act 150 of the Session Laws of Hawaii 1957,] planning grants and community development block grants, the governor or [agency] department shall have the power to enter into such undertakings with the proper officers or agencies of the federal government. The department may adopt rules pursuant to chapter 91 as may be necessary to administer and effectuate federal grants and programs that it has been assigned.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 15, 1982.)

Notes

1. Prior to amendment, a comma appeared here.