



GOV. MSG. NO. 747

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

May 23, 2008

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fourth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 23, 2008, the following bill was signed into law:

SB3190 HD1

A BILL FOR AN ACT RELATING TO THE ISSUANCE  
OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST  
SOPOGY INC., IN THE DEVELOPMENT OF  
RENEWABLE ENERGY ON THE ISLAND OF OAHU.  
(ACT 105)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on MAY 23 2008

THE SENATE  
TWENTY-FOURTH LEGISLATURE, 2008  
STATE OF HAWAII

**ACT 105**  
**S.B. NO.** 3190  
H.D. 1

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## A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU.

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

1           SECTION 1. The legislature finds that the development of  
2 clean electricity from a renewable and abundant resource, the  
3 sun, at a price lower than the market price and independent from  
4 oil price fluctuations, is in the best interests of the public.  
5 Sopogy, Inc., specializes in the development, manufacture, and  
6 distribution of its proprietary concentrated solar power systems  
7 that generate electricity. The legislature finds that the  
8 construction of a solar farm power plant that Sopogy, Inc.,  
9 seeks to create on the island of Oahu would support the State's  
10 renewable energy goals.

11           The legislature finds and declares that the issuance of  
12 special purpose revenue bonds under this Act is in the public  
13 interest and is beneficial to the public health, safety, and  
14 general welfare.

15           The legislature further finds that part V, chapter 39A,  
16 Hawaii Revised Statutes, permits the State to financially assist  
17 industrial enterprises through the issuance of special purpose



1 revenue bonds and that the issuance of special purpose revenue  
2 bonds under this Act is in the public interest and for the  
3 public health, safety, and general welfare of the State. The  
4 legislature finds that Sopogy, Inc., is an industrial enterprise  
5 meeting the qualifications for special purpose revenue bond  
6 assistance under part V, chapter 39A, Hawaii Revised Statutes.  
7 The special purpose revenue bonds authorized under this Act will  
8 provide low interest rate bond financing for the construction of  
9 a solar farm power plant on the island of Oahu.

10 SECTION 2. Pursuant to part V, chapter 39A, Hawaii Revised  
11 Statutes, the department of budget and finance, with the  
12 approval of the governor, is authorized to issue special purpose  
13 revenue bonds in a total amount not to exceed \$35,000,000, in  
14 one or more series, for the purpose of assisting Sopogy, Inc.,  
15 with the planning, designing, construction, equipping, and  
16 operating Sopogy, Inc.'s solar farm power plant on the island of  
17 Oahu.

18 The legislature hereby finds and determines that the  
19 activity and facilities of Sopogy, Inc., constitute a project as  
20 defined in part V, chapter 39A, Hawaii Revised Statutes, and the  
21 financing thereof is assistance to an industrial enterprise.



1 SECTION 3. The special purpose revenue bonds and the  
2 refunding special purpose revenue bonds issued under this Act  
3 shall be issued pursuant to part V, chapter 39A, Hawaii Revised  
4 Statutes, relating to the power to issue special purpose revenue  
5 bonds to assist industrial enterprises.

6 SECTION 4. The department of budget and finance is  
7 authorized, from time to time, including times subsequent to  
8 June 30, 2013, to issue special purpose revenue bonds in  
9 whatever principal amounts the department shall determine to be  
10 necessary to refund the special purpose revenue bonds authorized  
11 in section 2 and any refunding of special purpose revenue bonds  
12 authorized in this section, regardless of whether the  
13 outstanding special purpose revenue bonds or refunding special  
14 purpose revenue bonds have matured or are the subject of  
15 redemption. In making this determination, the department shall  
16 comply with federal law relating to the exemption from federal  
17 income taxation of the interest on bonds of the nature  
18 authorized by this section.

19 SECTION 5. The authorization to issue special purpose  
20 revenue bonds under this Act shall lapse on June 30, 2013.

21 SECTION 6. This Act shall take effect on July 1, 2008.



S.B. NO. 3190  
H.D. 1

APPROVED this 23 day of MAY, 2008



GOVERNOR OF THE STATE OF HAWAII