

JAN 23 2008

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. seeks
9 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.



1 SECTION 6. This Act shall take effect upon approval.

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Report Title:

Special Purpose Revenue Bonds; Sopogy, Inc.

Description:

Authorizes the issuance of special purpose revenue bonds in an amount not exceeding \$35,000,000 to assist Sopogy, Inc. with planning, designing, construction, equipping, and operating a solar farm power plant on the island of Oahu to produce electricity from solar power.

