
A BILL FOR AN ACT

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

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

1 SECTION 1. Act 110, Session Laws of Hawaii 2009, is
2 amended by amending sections 1 and 2 to read as follows:

3 "SECTION 1. The legislature finds that it is in the public
4 interest to encourage the development of cogeneration facilities
5 that make [~~electric~~] energy available to members of the general
6 public, public agencies, or public facilities by the sale of
7 electric energy or biofuels to an electric utility or refinery
8 serving the area.

9 The legislature also finds that the benefits of the
10 development of cogeneration facilities include:

- 11 (1) Reduced greenhouse gas emissions;
12 (2) Reduced landfill waste streams;
13 (3) Reduced transportation and disposal costs;
14 (4) Creation of local technical and semi-technical jobs;
15 [and]
16 (5) Renewable energy for local communities through
17 distributed generations []; and



1 (6) Reduced dependence on imported fossil fuels for local
2 transportation and energy needs.

3 The legislature also finds that BioEnergy Hawaii, LLC, is
4 engaged in the development of a cogeneration facility project
5 that will sell ~~[the electric]~~ energy in the form of electricity
6 or biofuels it produces to electric utilities or refineries
7 serving the public, by processing non-fossil fuel feedstock ~~[to~~
8 ~~produce electricity, and selling thermal fluid from the process~~
9 ~~of generating electricity to private entrepreneurs]~~.

10 The legislature further finds that BioEnergy Hawaii, LLC,
11 may be assisted through the issuance of special purpose revenue
12 bonds because it is an industrial enterprise pursuant to part V
13 of chapter 39A, Hawaii Revised Statutes.

14 The legislature finds and declares that the issuance of
15 special purpose revenue bonds under this Act is in the public
16 interest and for the public health, safety, and general welfare.

17 SECTION 2. Pursuant to part V, chapter 39A, Hawaii Revised
18 Statutes, the department of budget and finance, with the
19 approval of the governor, is authorized to issue special purpose
20 revenue bonds in a total amount not to exceed \$100,000,000, in
21 one or more series, for the purpose of assisting BioEnergy
22 Hawaii, LLC, a Hawaii limited liability company, or a



1 partnership in which BioEnergy Hawaii, LLC, is a general
2 partner, for the establishment of a cogeneration facility and
3 related energy production facilities. The electrical or
4 biofuels energy output of this plant and facilities shall be
5 made available for use by members of the general public by sale
6 to electric utilities[-] or refineries serving the public,
7 public agencies, or public facilities. Thermal fluid output of
8 this plant and related energy production facilities [~~shall~~] may
9 be made available to existing and planned manufacturing
10 processing entrepreneurs in the area. The legislature hereby
11 finds and determines that the activities and facilities of
12 BioEnergy Hawaii, LLC, constitute a project as defined in part
13 V, chapter 39A, Hawaii Revised Statutes, and the financing
14 thereof is assistance to an industrial enterprise."

15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on July 1, 2011.



Report Title:

SPRB; BioEnergy Hawaii

Description:

Amends Act 110, SLH 2009, authorizing special purpose revenue bonds to assist BioEnergy Hawaii, LLC., by modifying the purposes of the authorization. (HD1)

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