
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 as follows:

3 1. By amending sections 1 and 2 to read:

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

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

- 12 (1) Reduced greenhouse gas emissions;
- 13 (2) Reduced landfill waste streams;
- 14 (3) Reduced transportation and disposal costs;
- 15 (4) Creation of local technical and semi-technical jobs;
- 16 [and]



- 1 (5) Renewable energy for local communities through
2 distributed generations[-]; and
3 (6) Reduced dependence on imported fossil fuels for local
4 transportation and energy needs.

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

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

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

19 SECTION 2. Pursuant to part V, chapter 39A, Hawaii Revised
20 Statutes, the department of budget and finance, with the
21 approval of the governor, is authorized to issue special purpose
22 revenue bonds in a total amount not to exceed \$100,000,000, in



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

17 2. By amending sections 4 and 5 to read:

18 "SECTION 4. The department of budget and finance is
19 authorized, from time to time, including times subsequent to
20 June 30, [~~2014,~~] 2015, to issue special purpose revenue bonds in
21 whatever principal amounts the department shall determine to be
22 necessary to refund the special purpose revenue bonds authorized



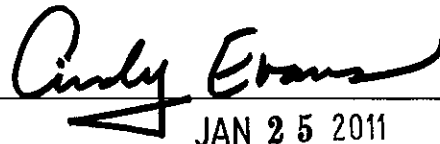
1 in section 2 and to refund special purpose revenue bonds
2 authorized in this section, regardless of whether the
3 outstanding special purpose revenue bonds or refunding special
4 purpose revenue bonds have matured or are the subject of
5 redemption or whether the refunding special purpose revenue
6 bonds shall be bonds for the multi-project programs described in
7 section 2. In making this determination, the department shall
8 comply with federal law relating to the exemption from federal
9 income taxation of the interest on bonds of the nature
10 authorized by this section.

11 SECTION 5. The authorization to issue special purpose
12 revenue bonds under this Act shall lapse on June 30, [~~2014.~~]
13 2015."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2011.
17

INTRODUCED BY:


JAN 25 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 and extending the lapse date.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

