



GOV. MSG. NO. 1229

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 14, 2013

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 14, 2013, the following bill was signed into law:

SB23 SD1 HD1 CD1

RELATING TO THE ISSUANCE OF SPECIAL
PURPOSE REVENUE BONDS TO ASSIST A
SEAWATER AIR CONDITIONING PROJECT
ACT 129 (13)

Aloha
Sincerely,

NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

JUN 14 2013

ACT 129

on
THE SENATE
TWENTY-SEVENTH LEGISLATURE, 2013
STATE OF HAWAII

S.B. NO. 23
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO
ASSIST A SEAWATER AIR CONDITIONING PROJECT.

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

1 SECTION 1. The legislature finds that support for the
2 development of efficient energy systems in Hawaii, which is
3 geographically isolated from sources of oil, continues to be in
4 the public interest.

5 The legislature further finds that Kaiuli Energy, LLC,
6 proposes to build a seawater air conditioning district cooling
7 system to serve Waikiki and nearby areas on Oahu. Kaiuli
8 Energy, LLC, is engaged in the planning, design, and
9 construction of a seawater air conditioning district cooling
10 facility and chilled water distribution system, using cold, deep
11 seawater as the primary cooling source.

12 The issuance of special purpose revenue bonds and refunding
13 special purpose revenue bonds under this Act to assist Kaiuli
14 Energy, LLC, in constructing the portion of its district cooling
15 system will make the statewide development of such a system more
16 economically feasible and provide numerous benefits. Among
17 other benefits, it is expected that such a system will:



- 1 (1) Provide customers with reduced and stable cooling
2 costs;
- 3 (2) Use an abundant, infinite, renewable energy resource -
4 cold, deep seawater - to provide more than ninety per
5 cent of the cooling load;
- 6 (3) Eliminate the need for cooling towers and, as a
7 result, reduce potable water use, toxic chemical use,
8 and the production of sewage;
- 9 (4) Greatly reduce the use of harmful chemicals used in
10 conventional cooling systems;
- 11 (5) Provide substantial energy cost savings compared to
12 conventional air conditioning systems;
- 13 (6) Have lower operating and maintenance costs than
14 individual building air conditioning systems;
- 15 (7) Generate millions of dollars in construction project
16 spending and also create long-term jobs relating to
17 the operation of the system; and
- 18 (8) Help the State, counties, and federal government meet
19 their goals and mandates for energy efficiency.

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



1 SECTION 2. Pursuant to part V, chapter 39A, Hawaii Revised
2 Statutes, the department of budget and finance, with the
3 approval of the governor, is authorized to issue special purpose
4 revenue bonds in a total amount not to exceed \$200,000,000 in
5 one or more series, for the purpose of assisting Kaiuli Energy,
6 LLC, a limited liability company, in financing or refinancing
7 the costs relating to the planning, design, construction,
8 equipping, acquisition of land, including easements or other
9 interests therein, and other tangible assets for a seawater air
10 conditioning district cooling facility and chilled water
11 distribution system. The legislature hereby finds and
12 determines that the construction of a seawater air conditioning
13 district cooling facility and chilled water distribution system
14 constitute a project as defined in part V, chapter 39A, Hawaii
15 Revised Statutes, and the financing thereof is assistance to an
16 industrial enterprise.

17 SECTION 3. The special purpose revenue bonds and the
18 refunding special purpose revenue bonds issued under this Act
19 shall be issued pursuant to part V, chapter 39A, Hawaii Revised
20 Statutes, relating to the power to issue special purpose revenue
21 bonds to assist industrial enterprises.



1 SECTION 4. The department of budget and finance is
 2 authorized, from time to time, including times subsequent to
 3 June 30, 2018, to issue special purpose revenue bonds in
 4 whatever principal amounts the department shall determine to be
 5 necessary to refund the special purpose revenue bonds authorized
 6 in section 2 and to refund special purpose revenue bonds
 7 authorized in this section, regardless of whether the
 8 outstanding special purpose revenue bonds or refunding special
 9 purpose revenue bonds have matured or are the subject of
 10 redemption or whether the refunding special purpose revenue
 11 bonds shall be bonds for the multi-project programs described in
 12 section 2. In making this determination, the department shall
 13 comply with federal law relating to the exemption from federal
 14 income taxation of the interest on bonds of the nature
 15 authorized by this section.

16 SECTION 5. The authorization to issue special purpose
 17 revenue bonds under this Act shall lapse on June 30, 2018.

18 SECTION 6. This Act shall take effect on July 1, 2013.

APPROVED this 14 day of JUN, 2013



GOVERNOR OF THE STATE OF HAWAII