

ACT 135

H.B. NO. 3527

A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds for Projects on the Island of Hawaii.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that it is in the public interest to encourage the development of cogeneration facilities that make electric energy available to members of the general public by the sale of the electric energy to an electric utility.

The legislature further finds that Hui 'Enekinia Hawai'i is engaged in the development of cogeneration facilities which will sell the electric energy it produces to Hawaii Electric Light Company, Inc., which is an electric utility serving the public. The thermal output produced can be used by existing and planned manufacturing and processing enterprises.

The legislature further finds that Hui 'Enekinia Hawai'i may be assisted through the issuance of special purpose revenue bonds because it is an industrial enterprise pursuant to part V, chapter 39A, Hawaii Revised Statutes.

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

The purposes of this Act are:

- (1) To extend from June 30, 1998 to June 30, 2003, the authorization of special purpose revenue bonds previously authorized by Act 263, Session Laws of Hawaii 1993; and
- (2) To increase the amount of special purpose revenue bonds that may be issued to Hui 'Enekinia Hawai'i.

SECTION 2. Act 263, Session Laws of Hawaii 1993, is amended to read as follows:

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1. By amending section 2 to read as follows:

“SECTION 2. Pursuant to part V, chapter 39A, Hawaii Revised Statutes, the department of budget and finance, with the approval of the governor, is authorized to issue in one or more series special purpose revenue bonds in a total amount not to exceed [\$10,000,000,] \$20,000,000, for the purpose of assisting Hui ‘Enekinia Hawai‘i, or a partnership in which Hui ‘Enekinia Hawai‘i is a general partner, for the establishment of a cogeneration facility and related water production facilities. The electrical output of this plant and facilities shall be made available for use by members of the general public by sale to Hawaii Electric Light Company, Inc. The water and thermal fluids output of this plant and related facilities shall be made available for use by members of the general public by sale to existing and planned manufacturing and processing entrepreneurs in the area. The legislature finds and determines that the activity and facilities of Hui ‘Enekinia Hawai‘i constitute a project as defined in part V, chapter 39A, Hawaii Revised Statutes, and the financing thereof is assistance to an industrial enterprise.”

2. By amending section 4 to read as follows:

“SECTION 4. The authorization to issue special purpose revenue bonds under this Act shall lapse on June 30, [1998.] 2003.”

SECTION 3. Session law material to be repealed is bracketed. New session law material is underscored.

SECTION 4. This Act shall take effect on June 29, 1998.

(Approved June 24, 1998.)