

ACT 239

H.B. NO. 3643

A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds to Assist Industrial Enterprises.

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 and water available to members of the general public by the sale of the electric

energy to an electric utility and the water to the existing and planned water systems serving the area. The legislature further finds that Kawaihae Cogeneration Partners is engaged in the development of a cogeneration facility project that will sell the electric energy it produces to the Hawaii Electric Light Company, Inc., which is an electric utility serving the public, and the water it produces to existing and planned water systems in the area.

The legislature further finds that Kawaihae Cogeneration Partners 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.

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 \$50,000,000, for the purpose of assisting Kawaihae Cogeneration Partners, or a partnership in which Waimana Enterprises, Incorporated 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 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 water systems serving the area. The legislature finds and determines that the activity and facilities of Kawaihae Cogeneration Partners constitute a project as defined in part V, chapter 39A, Hawaii Revised Statutes, and the financing thereof is assistance to an industrial enterprise.

SECTION 3. The special purpose revenue bonds issued under this Act shall be issued pursuant to part V, chapter 39A, Hawaii Revised Statutes, relating to the authority to issue special purpose revenue bonds to assist industrial enterprises.

SECTION 4. The authorization to issue special purpose revenue bonds under this Act shall lapse on June 30, 1996.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 17, 1992.)