



GOV. MSG. NO. 729

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

June 11, 2009

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 11, 2009, the following bill was signed into law:

HB1627 HD2 SD2 CD1

A BILL FOR AN ACT  
RELATING TO THE ISSUANCE OF SPECIAL  
PURPOSE REVENUE BONDS.  
**ACT 112 (09)**

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

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# A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.

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

1           SECTION 1. The legislature finds that it is in the public  
2 interest to encourage the development of cogeneration facilities  
3 that make electric energy available to the public from the sale  
4 of electricity to a utility company. The legislature further  
5 finds that Carbon Diversion Inc. is engaged in the development  
6 of cogeneration facilities that will sell electricity in this  
7 manner by processing non-fossil fuel feedstock, using a material  
8 reduction process by pressurized pyrolysis and gasification, for  
9 direct production of energy-related carbon products and fuels  
10 and an indirect production of electricity.

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

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



1 (5) Production of renewable energy for local communities  
2 through distributed generation.

3 The legislature further finds that Carbon Diversion Inc.'s  
4 work in creating alternative energy for the State is an  
5 industrial enterprise defined in part V, chapter 39A, Hawaii  
6 Revised Statutes, and may be assisted through the issuance of  
7 special purpose revenue bonds.

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

11 SECTION 2. Pursuant to part V, chapter 39A, Hawaii Revised  
12 Statutes, the department of budget and finance, with the  
13 approval of the governor, is authorized to issue special purpose  
14 revenue bonds in a total amount not to exceed \$40,000,000, in  
15 one or more series, for the purpose of assisting Carbon  
16 Diversion Inc., or a partnership in which Carbon Diversion Inc.,  
17 is a general partner, with the establishment of cogeneration and  
18 related energy-production facilities at various locations in the  
19 state. The electrical output of this plant and facilities shall  
20 be made available for use by members of the general public by  
21 sale to electric utilities serving the public. Thermal fluid  
22 output of this plant and related energy-production facilities



1 shall be made available for use by members of the general public  
2 by sale to existing and planned manufacturing and processing  
3 entrepreneurs in the area.

4 The legislature finds and determines that the activity and  
5 facilities of Carbon Diversion Inc. constitute a project as  
6 defined in part V, chapter 39A, Hawaii Revised Statutes, and the  
7 financing thereof is assistance to an industrial enterprise.

8 SECTION 3. The special purpose revenue bonds and the  
9 refunding special purpose revenue bonds issued under this Act  
10 shall be issued pursuant to part V, chapter 39A, Hawaii Revised  
11 Statutes, relating to the power to issue special purpose revenue  
12 bonds to assist industrial enterprises.

13 SECTION 4. The department of budget and finance is  
14 authorized, from time to time, including times subsequent to  
15 June 30, 2014, to issue special purpose revenue bonds in  
16 whatever principal amounts the department shall determine to be  
17 necessary to refund the special purpose revenue bonds authorized  
18 in section 2 and to refund special purpose revenue bonds  
19 authorized in this section, regardless of whether the  
20 outstanding special purpose revenue bonds or refunding special  
21 purpose revenue bonds have matured or are the subject of  
22 redemption or whether the refunding special purpose revenue



1 bonds shall be bonds for the multi-project programs described in  
2 section 2. In making this determination, the department shall  
3 comply with federal law relating to the exemption from federal  
4 income taxation of the interest on bonds of the nature  
5 authorized by this section.

6 SECTION 5. The authorization to issue special purpose  
7 revenue bonds under this Act shall lapse on June 30, 2014.

8 SECTION 6. This Act shall take effect on July 1, 2009.

APPROVED this 11 day of JUN , 2009



GOVERNOR OF THE STATE OF HAWAII

