
A BILL FOR AN ACT

RELATING TO THE PETROLEUM INDUSTRY.

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

1 SECTION 1. The legislature finds that the establishment and
2 allocation of adequate resources for a vigorous state watchdog
3 system to monitor and oversee the petroleum industry and gasoline
4 market is a prerequisite to ensure the efficient and equitable
5 regulation of gasoline pricing. The collection, aggregation, and
6 analyses of current data relating to Hawaii petroleum fuel
7 prices, volumes, costs, and profits, and the subsequent reporting
8 of this information to planning and enforcement agencies, such as
9 the departments of the attorney general, business, economic
10 development, and tourism, and taxation, for review and
11 assessment, is critical in ensuring compliance with the letter
12 and spirit of the laws and regulations aimed at promoting fair
13 and competitive gasoline prices for Hawaii's consumers.

14 Most importantly, the legislature finds that current global
15 energy supplies cannot keep pace with the increased demands for
16 energy worldwide. The growing energy needs of burgeoning
17 economies, such as China and India, place Hawaii in a very
18 vulnerable position in the global competition for the same fossil



1 fuel resources. Furthermore, with many oil-producing countries
2 facing political instability and sensitive diplomatic relations,
3 Hawaii's deep dependency on imported fossil fuels leaves it
4 susceptible to factors that it cannot control yet affect its
5 energy security and economy.

6 The legislature also finds that a comprehensive approach is
7 needed to ensure the adoption of energy policies and programs
8 that optimize the security, cost-efficiency, and environmental
9 soundness of Hawaii's fuel resources and minimize the social and
10 economic costs and supply dislocations to Hawaii's energy users.
11 For example, the requirement for ethanol blending may have some
12 adverse financial effect on existing industry participants but
13 may provide wider, long-term benefits to the state's economy,
14 environment, and overall energy strategy.

15 An integrated energy strategy will give the legislature and
16 other policy makers a broad range of policy options, including
17 improved planning, enhanced data collection, and monitoring to
18 support the development of a long-term plan with realistic goals.
19 An integrated energy strategy with long-range objectives may also
20 lead to an improved investment climate. Such a plan will also
21 greatly improve strategic partnerships. Additionally, developing



1 an integrated energy strategy will allow the state to pursue
2 meaningful investment strategies and technology options.

3 The purposes of this Act are to:

- 4 (1) Establish the petroleum industry monitoring, analysis,
5 and reporting special fund;
- 6 (2) Require the public utilities commission to develop and
7 maintain the petroleum industry monitoring, analysis,
8 and reporting system, including an automated petroleum
9 industry information reporting system;
- 10 (3) Redelineate the types of information that the petroleum
11 industry must submit to the public utilities
12 commission;
- 13 (4) Make an appropriation out of the petroleum industry
14 monitoring, analysis, and reporting special fund to be
15 expended by the public utilities commission to
16 establish the petroleum industry monitoring, analysis,
17 and reporting program;
- 18 (5) Suspend the duties of the public utilities commission
19 with respect to enforcement of the petroleum price
20 control program on the effective date of this Act;
- 21 (6) Repeal the petroleum price control program effective
22 July 1, 2008; and



1 (7) Establish as an unfair trade practice, any
2 misrepresentations made by the petroleum industry.

3 PART I

4 SECTION 2. Chapter 486J, Hawaii Revised Statutes, is
5 amended by adding three new sections to be appropriately
6 designated and to read as follows:

7 "§486J-A Informational cost reports. (a) Each refiner, on
8 a semi-annual basis, at reporting dates as the commission may
9 establish, shall file with the commission, on forms prescribed,
10 prepared, and furnished by the commission, a certified statement
11 of operating and overhead costs for the refiner's Hawaii
12 operations that shall include but not be limited to the
13 following:

- 14 (1) Crude oil costs and sources;
15 (2) Other feedstock costs and sources;
16 (3) Refinery operating expenses;
17 (4) Marketing operating expenses by petroleum product;
18 (5) Distribution expenses by petroleum product;
19 (6) Corporate overhead expenses; and
20 (7) The percentage of the total number of wholesale gallons
21 of unleaded regular and premium unleaded gasoline sold
22 during the reporting period at wholesale prices per



1 gallon that exceed two hundred per cent of the total
2 costs and expenses reported in this subsection on a per
3 gallon basis.

4 (b) In addition to the reporting required under subsection
5 (a), each distributor shall file with the commission all
6 Securities and Exchange Commission Forms 10-K, 10-Q, annual
7 reports, quarterly reports, and earnings supplements published by
8 the distributor.

9 (c) Each distributor, except a distributor who is so
10 defined solely by criteria in paragraph (4) of that definition in
11 section 486J-1, who sells liquid fuel only at retail and is not a
12 refiner, shall file with the commission, on a semi-annual basis
13 at reporting dates as the commission may establish, on forms
14 prescribed, prepared, and furnished by the commission, a
15 certified statement of operating and overhead costs that shall
16 include the following:

- 17 (1) Gasoline purchases and exchanges and sources;
18 (2) Diesel purchases and exchanges and sources;
19 (3) Marketing expenses; and
20 (4) Distribution expenses.

21 **§486J-B Petroleum industry information reporting system.**

22 The commission shall develop and maintain an automated petroleum



1 industry information reporting system that meets the requirements
2 of government, industry, and the public while promoting sound
3 policy making and consumer information and protection. The
4 purpose of the petroleum industry information reporting system is
5 to conduct and facilitate the efficient reporting analysis of
6 information described in section 486J-5. The commission shall
7 develop the petroleum industry information reporting system in a
8 manner that will result in greater market transparency and
9 provide useful information to those agencies that are authorized
10 to conduct oversight of the petroleum industry and ensure
11 compliance with all relevant laws.

12 **§486J-C Petroleum industry monitoring, analysis, and**
13 **reporting special fund.** (a) There is established a petroleum
14 industry monitoring, analysis, and reporting special fund to be
15 administered by the commission.

16 (b) The legislature may make appropriations from the
17 general revenues of the State of Hawaii, not to exceed \$2,000,000
18 in any fiscal year, for the petroleum industry monitoring,
19 analysis, and reporting special fund.

20 (c) Moneys in the special fund shall be used to:

21 (1) Administer the petroleum industry information reporting
22 program pursuant to this chapter; and



1 (2) Establish full-time staff positions in the
2 commission to implement and maintain the automated
3 petroleum industry information reporting system
4 established by section 486J-B."

5 SECTION 3. Section 486J-1, Hawaii Revised Statutes, is
6 amended as follows:

7 1. By adding eight new definitions to be appropriately
8 inserted and to read:

9 "Classes of retail trade" means the separate subdivisions,
10 or "classes", of outlets or methods of retail sales of liquid
11 fuels, typically but not limited to gasoline and diesel for motor
12 vehicles, and includes any:

13 (1) Company-operated station that is a retail service
14 station owned and operated by a refiner or wholesale
15 distributor and where retail prices are set by that
16 refiner or wholesale distributor;

17 (2) Lessee dealer-operated station that is a retail service
18 station owned by a refiner or wholesale distributor and
19 operated by a qualified gasoline dealer other than a
20 refiner or wholesale distributor under a franchise; or



1 (3) Owner-operated station that is a retail service station
2 not owned by a refiner or wholesale distributor and
3 operated by a qualified gasoline dealer.

4 "Commission" means the public utilities commission.

5 "Corporate overhead expenses" means the expenses or costs
6 allocated by the refiners that reflect their Hawaii business
7 units' share of corporate staff costs, such as legal, finance,
8 accounting, information technology, and similar costs.

9 "Dealer tank wagon price" means the wholesale price at which
10 liquid fuel is sold to any retail outlet by any distributor
11 priced on a delivered basis to a retail outlet.

12 "Liquid fuel" means fuels in liquid form, commercially
13 usable for energy needs, power generation, and fuels manufacture
14 that may be manufactured, produced, or imported into the state or
15 that may be exported therefrom, including petroleum and petroleum
16 products and all fuel alcohols.

17 "Nonrefiner wholesale price" means the wholesale price at
18 which liquid fuel is sold by any distributor, not a refiner, to
19 any other distributor, not a refiner, for resale at any
20 subsequent wholesale or retail transaction.

21 "Refiner wholesale price" means the wholesale price at which
22 liquid fuel is sold by a refiner to any distributor, not a



1 refiner, for resale at any subsequent wholesale or retail
2 transaction.

3 "Wholesale liquid fuel prices" means the prices at which
4 liquid fuel is sold at wholesale for resale at wholesale or
5 retail, typically but not limited to gasoline and diesel for
6 motor vehicles, and include "dealer tank wagon price",
7 "nonrefiner wholesale price", and "refiner wholesale price".

8 2. By amending the definitions of "distributor", "fuel",
9 "person", and "refiner" to read:

10 "Distributor" means [~~and includes~~]:

11 (1) Every person who refines, manufactures, produces, or
12 compounds fuel in the state[~~]~~ and sells it at
13 wholesale or at retail, or who [~~utilizes~~] uses it
14 directly in the manufacture of products or for the
15 generation of power;

16 (2) Every person who imports or causes to be imported into
17 the state, or exports or causes to be exported from the
18 State, any fuel; [~~and~~]

19 (3) Every person who acquires fuel through exchanges with
20 another distributor[~~]~~; or



1 (4) Every person who purchases fuel for resale at wholesale
2 or retail from any person described in paragraph (1),
3 (2), or (3).

4 "Fuel" means [~~and includes~~] fuels, whether liquid, solid, or
5 gaseous, commercially usable for energy needs, power generation,
6 and fuels manufacture, that may be manufactured, grown, produced,
7 or imported into the State or that may be exported therefrom[+],
8 including petroleum and petroleum products and gases, coal, coal
9 tar, vegetable ferments, and all fuel alcohols.

10 "Person"[+] means any person, firm, association,
11 organization, partnership, business trust, corporation, or
12 company. "Person" also includes any city, county, public
13 district or agency, the State, or any department or agency
14 thereof, and the United States to the extent authorized by
15 federal law.

16 "Refiner" means any person who owns, operates, or controls
17 the operations of one or more refineries[-] in Hawaii."

18 3. By repealing the definition of "petroleum commissioner".

19 [~~"Petroleum commissioner" or "commissioner" means the~~
20 ~~administrator of the energy, resources, and technology division~~
21 ~~of the department of business, economic development, and~~
22 ~~tourism."~~]



1 SECTION 4. Section 486J-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§486J-2 Distributors to register.** Every distributor, and
4 any person before becoming a distributor, shall register as such
5 with the [~~commissioner~~] commission on forms to be prescribed,
6 prepared, and furnished by the [~~commissioner.~~] commission."

7 SECTION 5. Section 486J-3, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§486J-3 Statements.** (a) Each distributor [~~shall~~], at
10 [~~such~~] reporting dates as the [~~commissioner~~] commission may
11 establish, shall file with the [~~commissioner,~~] commission, on
12 forms prescribed, prepared, and furnished by the [~~commissioner,~~]
13 commission, a certified statement showing separately for each
14 county and for the islands of Lanai and Molokai within which and
15 whereon fuel is sold or used during the last preceding reporting
16 period, the following:

17 (1) The total number of gallons or units of fuel, by the
18 type or grade, refined, manufactured, or compounded by
19 the distributor within the State [~~and sold or used by~~
20 ~~the distributor,~~] and, if for ultimate [use] sale or
21 consumption in another county or on another island,
22 [~~the name of that county or island;~~] the number of



1 gallons or units of fuel, by type or grade, sold,
2 exchanged, or otherwise transferred or used in each
3 county or island;

4 (2) The total number of gallons or units of fuel, by type
5 or grade, imported or exported by the distributor [~~or~~
6 ~~sold~~]; the total volumes of fuel, by type or grade,
7 sold, exchanged, or otherwise transferred or used by
8 the distributor[~~er~~]; and if for ultimate [~~use~~] sale or
9 consumption in another county or on another island,
10 [~~the name of that~~] the number of gallons or units of
11 fuel, by type or grade, sold, exchanged, or otherwise
12 transferred or used in each county or island;

13 (3) The total number of gallons or units of fuel sold as
14 liquid fuel, aviation fuel, diesel fuel, and other
15 types of fuel as required by the [~~commissioner~~]
16 commission;

17 (4) The total number of gallons or units of fuel [~~and the~~
18 ~~types thereof~~], by type or grade, and their respective
19 sales prices for all fuel sold to[+] federal, state,
20 and county agencies, ships stores, or base exchanges,
21 commercial agricultural accounts, commercial
22 nonagricultural accounts, retail dealers, and other



1 customers as required by the [~~commissioner~~]
2 commission;

3 (5) Monthly weighted average acquisition cost per barrel
4 and volumes of foreign or domestic crude oil or other
5 liquid fuels, finished or unfinished, imported to
6 Hawaii, including information identifying the source of
7 the crude oil or other liquid fuels;

8 [~~(5) Monthly Hawaii~~] (6) Weekly weighted average wholesale
9 prices and sales volumes of finished [leaded regular,
10 unleaded regular[~~7~~] and premium motor gasoline, and of
11 each other grade of gasoline sold [through company
12 operated], by island, to retail outlets, [to other end-
13 users,] by classes of retail trade, and to wholesale
14 [customers;] distributors;

15 (7) Weekly weighted average retail prices, and sales
16 volumes of finished unleaded regular and premium motor
17 gasoline, and of each other grade of gasoline sold, by
18 island, by retail distributor outlets of all classes of
19 retail trade and by any distributor to other end-users.
20 The commission may purchase retail price data from data
21 service companies that the commission may use to



1 substitute some or all data to meet the reporting
2 requirement for retail price data under this paragraph;
3 ~~[(6) Monthly Hawaii]~~ (8) Weekly weighted average wholesale
4 prices, and sales volumes [for residential sales,
5 commercial and institutional sales, industrial sales,
6 sales through company-operated retail outlets, sales to
7 other end users, and wholesale sales of No. 2 diesel
8 fuel and No. 2 fuel oil; and] of No. 2 diesel fuel and
9 No. 2 fuel oil, by island, to retail distributor
10 outlets, by classes of retail trade, and to all other
11 wholesale distributors. Weighted average wholesale
12 prices and sales volumes shall be reported by type of
13 wholesale liquid fuel price;
14 (9) Weekly weighted average retail prices, and sales
15 volumes of No. 2 diesel fuel and No. 2 fuel oil sold,
16 by island, by retail distributor outlets of all classes
17 of retail trade and by any distributor to other end-
18 users. The commission may purchase retail price data
19 from data service companies that the commission may use
20 to substitute some or all data to meet the reporting
21 requirement for retail price data under this paragraph;



1 ~~[(7)]~~ (10) Monthly ~~[Hawaii]~~ weighted average prices, and
2 sales volumes for retail sales and wholesale sales, by
3 island, of No. 1 distillate, kerosene, finished
4 aviation gasoline, kerosene-type jet fuel, No. 4 fuel
5 oil, residual fuel oil, and consumer grade propane~~[-]~~;
6 and

7 (11) The gross margins or spreads between a refiner's
8 average weighted acquisition price for each gallon of
9 crude oil and blendstock refined within the state and
10 the average weighted prices for each gallon or unit of
11 fuel sold, by county or island, to another distributor,
12 retail dealers, end-users, and consumers. For each
13 distributor that is not a refiner, the gross margins or
14 spreads between the distributor's average weighted
15 price for each gallon or unit of fuel acquired by the
16 distributor and the average weighted prices for each
17 gallon or unit of fuel sold, by county or island, to
18 another distributor, retail dealers, end-users, or
19 consumers.

20 The ~~[commissioner]~~ commission shall prescribe ~~[by rule when the~~
21 ~~first report shall be submitted.]~~ applicable standards and



1 practices for reporting to facilitate uniformity, consistency,
2 and comparability of the data to be submitted.

3 ~~[(b) In addition to the above reporting, each distributor~~
4 ~~shall file with the commissioner, Federal Form FEO-1000 or an~~
5 ~~equivalent state form to be prescribed, prepared, and furnished~~
6 ~~by the commissioner, showing the expected supply of fuel products~~
7 ~~for the coming month, and their intended distribution as~~
8 ~~categorized by Form FEO-1000 or the equivalent state form. The~~
9 ~~state form shall be supplied in the event that the Federal~~
10 ~~Mandatory Petroleum Allocation Regulations should expire, be~~
11 ~~revoked, or be amended to delete or substantially change the~~
12 ~~reporting requirements provided therein.~~

13 ~~(e)]~~ (b) Each major marketer shall submit to the
14 ~~[commissioner,]~~ commission, at a time and in a form as the
15 ~~[commissioner]~~ commission shall prescribe, information, including
16 petroleum and petroleum product receipts, exchanges, inventories,
17 and distributions. ~~[The commissioner shall prescribe by rule~~
18 ~~when the first report shall be submitted.~~

19 ~~(d)]~~ (c) The ~~[commissioner]~~ commission may request
20 additional information as and when ~~[the commissioner]~~ the
21 commission deems necessary to perform ~~[the commissioner's]~~ the
22 commission's responsibilities under this chapter."



1 SECTION 6. Section 486J-4, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§486J-4 Informational reports.** (a) Each major oil
4 producer, refiner, marketer, oil transporter, and oil storer
5 shall submit to the [~~commissioner,~~] commission, in [~~such~~] a form
6 as the [~~commissioner~~] commission shall prescribe, information
7 [~~which~~] that includes the following:

8 (1) Major oil transporters shall report on petroleum by
9 reporting the capacities of each major transportation
10 system, the amount transported by each system, and
11 inventories thereof. The provision of the information
12 shall not be construed to increase and decrease any
13 authority the [~~commissioner~~] commission may otherwise
14 have;

15 (2) Major oil storers shall report on storage capacity,
16 inventories, receipts and distributions, and methods of
17 transportation of receipts and distributions;

18 (3) Refiners shall report on facility capacity and
19 utilization and method of transportation of refinery
20 receipts and distributions; and



1 (4) Major oil marketers shall report on facility capacity
2 and methods of transportation of receipts and
3 distributions.

4 ~~[The commissioner shall prescribe by rule when the first report~~
5 ~~shall be submitted.]~~

6 (b) The ~~[commissioner]~~ commission may request additional
7 information as and when ~~[the commissioner]~~ the commission deems
8 it necessary to perform ~~[the commissioner's]~~ the commission's
9 responsibilities under this chapter."

10 SECTION 7. Section 486J-5, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§486J-5 Analysis of information; ~~[audits and inspections,]~~**
13 **summary reports.** (a) The ~~[petroleum commissioner,]~~ commission,
14 with the ~~[commissioner's]~~ commission's own staff and other
15 support staff with expertise and experience in, or with, the
16 petroleum industry, shall gather, analyze, and interpret the
17 information submitted to it pursuant to sections 486J-3 ~~[and]~~,
18 486J-4, and 486J-A and other information relating to the supply
19 ~~[and price]~~, prices, margins, and profits of petroleum products,
20 with particular emphasis on motor vehicle fuels, including~~[]~~ but
21 not limited to~~[]~~ all of the following:



- 1 (1) The nature, cause, and extent of any petroleum or
2 petroleum products [~~shortage~~] situation or condition
3 affecting supply[+], price, margins, or profits;
- 4 [~~(2) The economic and environmental impacts of any petroleum~~
5 ~~and petroleum product shortage or condition affecting~~
6 ~~supply~~;
- 7 ~~(3) Petroleum or petroleum product demand and supply~~
8 ~~forecasting methodologies utilized by the petroleum~~
9 ~~industry in Hawaii~~;
- 10 ~~(4)]~~ (2) The prices, with particular emphasis on wholesale
11 and retail motor vehicle fuel prices, and any
12 significant changes in prices charged by the petroleum
13 industry for petroleum or petroleum products sold in
14 Hawaii and the reasons for [~~such~~] the changes;
- 15 ~~(5)]~~ (3) The income, expenses, margins, and profits[-] in
16 Hawaii, both before and after taxes, [~~of the industry~~
17 ~~as a whole and of major firms within it, including a~~
18 ~~comparison with other major industry groups and major~~
19 ~~firms within them as to profits, return on equity and~~
20 ~~capital, and price earnings ratio~~]; of each distributor
21 and the income, expenses, margins, and profits, both



1 before and after taxes, of major oil companies in other
2 regions of the United States or other countries; and

3 ~~[(+6)] (4) The emerging trends relating to supply, demand,~~
4 ~~[and conservation of petroleum and petroleum products;~~

5 ~~(7) The nature and extent of efforts of the petroleum~~
6 ~~industry to expand refinery capacity and to make~~
7 ~~acquisitions of additional supplies of petroleum and~~
8 ~~petroleum products; and~~

9 ~~(8) The development of a petroleum and petroleum products~~
10 ~~information system in a manner which will enable the~~
11 ~~State to take action to meet and mitigate any petroleum~~
12 ~~or petroleum products shortage or condition affecting~~
13 ~~supply.~~

14 ~~(b) The commissioner shall conduct random or periodic~~
15 ~~audits and inspections of any supplier or suppliers of oil or~~
16 ~~petroleum products to determine whether they are unnecessarily~~
17 ~~withholding supplies from the market or are violating applicable~~
18 ~~policies, laws, or rules. The commissioner may solicit~~
19 ~~assistance of the department of taxation in any such audit. The~~
20 ~~commissioner shall cooperate with other state and federal~~
21 ~~agencies to ensure that any audit or inspection conducted by the~~
22 ~~commissioner is not duplicative of the data received by any of~~



1 ~~their audits or inspections which is available to the~~
2 ~~commissioner.] price, margins, and profits.~~

3 [~~(c)~~] (b) The [~~commissioner~~] commission shall analyze the
4 [~~impacts~~] effects of state and federal policies, rules, and
5 regulations upon the supply and pricing of petroleum products.

6 [~~(d)~~] (c) The [~~commissioner~~] commission shall publish
7 annually and submit to the governor and the legislature twenty
8 days prior to the first day of [~~the current~~] each legislative
9 session a summary, including any analysis and interpretation of
10 the information submitted to it pursuant to this chapter, and any
11 other activities taken by the [~~commissioner,~~] commission,
12 including civil penalties imposed and referrals of violations to
13 the attorney general under section 486J-9. Any person may submit
14 comments in writing regarding the accuracy or sufficiency of the
15 information submitted. [~~At the option of the director, this~~
16 ~~report may be combined with reporting required by section 196-~~
17 ~~4(11), in the director's role as state energy resources~~
18 ~~coordinator.]"~~

19 SECTION 8. Section 486J-6, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§486J-6 Confidential information.** (a) Confidential
22 commercial information [~~presented~~] provided to the [~~commissioner~~]



1 commission pursuant to this chapter shall be held in confidence
2 by the [~~commissioner~~] commission or aggregated to the extent
3 necessary to [~~assure~~] ensure confidentiality as governed by
4 chapter 92F, including its penalty provisions.

5 [~~(b) No data or information submitted to the commissioner~~
6 ~~shall be deemed confidential if the person submitting the~~
7 ~~information or data has made it public.~~

8 ~~(e)]~~ (b) Unless otherwise provided by law, with respect to
9 data provided pursuant to [~~sections~~] section 486J-3 [~~and~~], 486J-
10 4, or 486J-A, neither the [~~commissioner,~~] commission, nor any
11 employee of the [~~department,~~] commission, may do any of the
12 following:

13 (1) Use the information furnished under [~~sections~~] section
14 486J-3 [~~and~~], 486J-4, or 486J-A for any purpose other
15 than the statistical purposes for which it is supplied;

16 (2) Make any publication whereby the data furnished by any
17 [~~particular establishment or individual~~] person under
18 [~~sections~~] section 486J-3 [~~and~~], 486J-4, or 486J-A can
19 be identified; or

20 (3) Permit [~~anyone~~] any person to examine the individual
21 reports provided under [~~sections~~] section 486J-3 [~~and~~],
22 486J-4, or 486J-A other than the [~~public utilities~~]



1 commission, the department of taxation, the attorney
2 general, and the consumer advocate, and the authorized
3 representatives and employees of each."

4 SECTION 9. Section 486J-7, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§486J-7 Confidential information obtained by another state**
7 **agency.** Any confidential information pertinent to the
8 responsibilities of the [~~commissioner~~] commission specified in
9 this chapter that is obtained by another state agency, including
10 the department of taxation, [~~the public utilities commission,~~]
11 the attorney general, and the consumer advocate, shall be
12 available only to the attorney general, the attorney general's
13 authorized representatives, and the [~~commissioner~~] commission and
14 shall be treated in a confidential manner."

15 SECTION 10. Section 486J-8, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§486J-8 Sharing of information obtained by the**
18 [~~commissioner~~] commission. The [~~commissioner~~] commission shall
19 make all information obtained by the [~~commissioner~~] commission
20 under this chapter, including confidential information, available
21 only to the attorney general, the department of taxation, [~~the~~
22 ~~public utilities commission,~~] the consumer advocate, and the



1 authorized representative of each, who shall safeguard the
2 confidentiality of all confidential information received."

3 SECTION 11. Section 486J-9, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§486J-9 Failure to timely provide information; failure to**
6 **make and file statements; false statements; penalties; referral**
7 **to the attorney general.** (a) The [~~petroleum commissioner~~]
8 commission shall notify those persons who have failed to timely
9 provide the information specified in section 486J-3 [~~or~~], 486J-4,
10 or 486J-A or requested by the [~~commissioner~~] commission under
11 section 486J-3 [~~or~~], 486J-4[~~or~~], or 486J-A. If, within five
12 business days after being notified of the failure to provide the
13 specified or requested information, the person fails to supply
14 the specified or requested information, the person shall be
15 subject to a civil penalty of not less than \$50,000 per day nor
16 more than \$100,000 per day for each day the submission of
17 information is refused or delayed[~~, unless the person has timely~~
18 ~~filed objections with the commissioner regarding the information~~
19 ~~and the commissioner has held a hearing and, following a ruling~~
20 ~~by the commissioner, the person has properly submitted the issue~~
21 ~~to a court of competent jurisdiction for review].~~



1 (b) Any person who wilfully makes any false statement,
2 representation, or certification in any record, report, plan, or
3 other document filed with the [~~commissioner~~] commission shall be
4 subject to a civil penalty not to exceed \$500,000[7] and shall be
5 deemed to have committed an unfair or deceptive act or practice
6 in the conduct of a trade or commerce and subject to the
7 penalties specified in chapter 480.

8 (c) The [~~commissioner~~] commission shall refer any matter
9 under [~~this~~] subsection (a) or (b) to the attorney general, who
10 may exercise any appropriate legal or equitable remedies that may
11 be available to the State.

12 [~~(e)~~] (d) For the purposes of this section, "person" means,
13 in addition to the definition contained in section 486J-1, any
14 responsible corporate officer."

15 SECTION 12. Section 486J-10, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By amending subsection (a) to read:

18 "(a) The [~~commissioner~~] director shall adopt rules in
19 accordance with chapter 91 to require that gasoline sold in the
20 [~~State~~] state for use in motor vehicles contain ten per cent
21 ethanol by volume. The amounts of gasoline sold in the [~~State~~]
22 state containing ten per cent ethanol shall be in accordance with



1 rules as the [~~commissioner~~] director may deem appropriate. The
2 [~~commissioner~~] director may authorize the sale of gasoline that
3 does not meet these requirements as provided in subsection (d)."

4 2. By amending subsections (d), (e), and (f) to read:

5 "(d) The [~~commissioner~~] director may authorize the sale of
6 gasoline that does not meet the provisions of this section:

7 (1) To the extent that sufficient quantities of
8 competitively-priced ethanol are not available to meet
9 the minimum requirements of this section; or

10 (2) In the event of any other circumstances for which the
11 [~~commissioner~~] director determines compliance with this
12 section would cause undue hardship.

13 (e) Each distributor, at [~~such~~] reporting dates as the
14 [~~commissioner~~] director may establish, shall file with the
15 [~~commissioner~~,] director, on forms prescribed, prepared, and
16 furnished by the [~~commissioner~~,] director, a certified statement
17 showing:

18 (1) The price and amount of ethanol available;

19 (2) The amount of ethanol-blended fuel sold by the
20 distributor;

21 (3) The amount of non-ethanol-blended gasoline sold by the
22 distributor; and



1 (4) Any other information the [~~commissioner~~] director shall
2 require for the purposes of compliance with this
3 section.

4 (f) Provisions with respect to confidentiality of
5 information shall be the same as provided in section [~~486J-7.~~]
6 486J-6."

7 3. By amending subsection (h) to read:

8 "(h) The [~~commissioner,~~] director, in accordance with
9 chapter 91, shall adopt rules for the administration and
10 enforcement of this section."

11 SECTION 13. Chapter 486H, Hawaii Revised Statutes, is
12 amended as follows:

13 1. By repealing section 486H-13.

14 [~~"§486H-13 Maximum pre-tax wholesale price for the sale of~~
15 ~~gasoline; civil actions. (a) Notwithstanding any law to the~~
16 ~~contrary, no manufacturer, wholesaler, or jobber may sell regular~~
17 ~~unleaded, mid grade, or premium gasoline to a dealer retail~~
18 ~~station, an independent retail station, or to another jobber or~~
19 ~~wholesaler at a price above the maximum pre tax wholesale prices~~
20 ~~established pursuant to subsection (b). The commission shall~~
21 ~~publish the maximum pre tax wholesale prices by means that shall~~
22 ~~include the Internet website for the State of Hawaii.~~



1 ~~(b) On a weekly basis, the commission shall determine the~~
2 ~~maximum pre-tax wholesale price of regular unleaded, mid-grade,~~
3 ~~and premium gasoline as follows: the maximum pre-tax wholesale~~
4 ~~price of regular unleaded gasoline shall consist of the baseline~~
5 ~~price for regular unleaded gasoline, plus the location adjustment~~
6 ~~factor, the marketing margin factor, and the zone price~~
7 ~~adjustment, and for mid grade and premium gasoline, the~~
8 ~~applicable mid-grade and premium adjustment factor, such that the~~
9 ~~maximum pre-tax wholesale gasoline prices reflect and correlate~~
10 ~~with competitive market conditions.~~

11 ~~(c) The baseline price for regular unleaded gasoline~~
12 ~~referred to in subsection (b) shall be determined on a weekly~~
13 ~~basis and shall be equal to the average of:~~

14 ~~(1) The weekly average of the spot daily price for regular~~
15 ~~unleaded gasoline for Los Angeles;~~

16 ~~(2) The weekly average of the spot daily price for regular~~
17 ~~unleaded gasoline for New York Harbor; and~~

18 ~~(3) The weekly average of the spot daily price for regular~~
19 ~~unleaded gasoline for the United States Gulf Coast;~~

20 ~~as reported and published by the Oil Price Information Service~~
21 ~~for the five business days of the preceding week; provided that~~
22 ~~the commission, in its discretion, may determine a more~~



1 ~~appropriate baseline or a more appropriate price information~~
2 ~~reporting service.~~

3 ~~(d) The location adjustment factor referred to in~~
4 ~~subsection (b) shall be \$.04 per gallon or as otherwise~~
5 ~~determined by the commission and shall thereafter be subject to~~
6 ~~adjustment pursuant to section 486H-16(a).~~

7 ~~(e) The marketing margin factor referred to in subsection~~
8 ~~(b) shall be \$.18 per gallon or as otherwise determined by the~~
9 ~~commission and shall thereafter be subject to adjustment pursuant~~
10 ~~to section 486H-16(a).~~

11 ~~(f) The mid grade adjustment factor shall be \$.05 per~~
12 ~~gallon or as otherwise determined by the commission and shall~~
13 ~~thereafter be subject to adjustment pursuant to section 486H-~~
14 ~~16(a).~~

15 ~~(g) The premium adjustment factor shall be \$.09 per gallon~~
16 ~~or as otherwise determined by the commission and shall thereafter~~
17 ~~be subject to adjustment pursuant to section 486H-16(a).~~

18 ~~(h) For purposes of this chapter, the State shall be~~
19 ~~divided into the following zones:~~

20 ~~(1) Zone 1 shall include the island of Oahu;~~

21 ~~(2) Zone 2 shall include the island of Kauai;~~



1 ~~(3) Zone 3 shall include the island of Maui, except the~~
2 ~~district of Hana;~~

3 ~~(4) Zone 4 shall include the district of Hana on the island~~
4 ~~of Maui;~~

5 ~~(5) Zone 5 shall include the island of Molokai;~~

6 ~~(6) Zone 6 shall include the island of Lanai;~~

7 ~~(7) Zone 7 shall include the districts of Puna, south Hilo,~~
8 ~~north Hilo, and Hamakua on the island of Hawaii; and~~

9 ~~(8) Zone 8 shall include the districts of north Kohala,~~
10 ~~south Kohala, north Kona, south Kona, and Kau on the~~
11 ~~island of Hawaii.~~

12 ~~(i) The commission shall establish zone price adjustments~~
13 ~~to the maximum pre tax wholesale regular unleaded, mid grade, and~~
14 ~~premium gasoline prices on a zone by zone basis.—~~

15 ~~(j) Every manufacturer, wholesaler, or jobber, upon the~~
16 ~~request of the commission, shall furnish to the commission, in~~
17 ~~the form requested, all documents, data, and information the~~
18 ~~commission may require to make its determination on zone price~~
19 ~~adjustments. Any person who refuses or fails to comply with a~~
20 ~~request for information by the commission shall be subject to a~~
21 ~~fine of up to \$50,000 per day. Each day a violation continues~~
22 ~~shall constitute a separate offense.~~



1 ~~(k) The maximum pre tax wholesale gasoline price imposed by~~
2 ~~this section shall take effect on September 1, 2005,~~
3 ~~notwithstanding the lack of the adoption of rules pursuant to~~
4 ~~this section.~~

5 ~~(l) Any manufacturer, wholesaler, or jobber who knowingly~~
6 ~~violates any requirement imposed or rule adopted under this~~
7 ~~section, except for subsection (j), shall be subject to a civil~~
8 ~~penalty, for each violation, equal to three times the amount of~~
9 ~~the overcharge or \$250,000, whichever is greater, and shall be~~
10 ~~liable for the costs of the action and reasonable attorney's fees~~
11 ~~as determined by the court. Within two years from the date the~~
12 ~~commission obtains actual knowledge of the violation, the~~
13 ~~commission may institute a civil action in a court of competent~~
14 ~~jurisdiction to collect the civil penalty, the costs, and~~
15 ~~attorney's fees. In the case of ongoing violation, the two year~~
16 ~~period shall start from the date of the last violation. The~~
17 ~~commission may refer any such action to the attorney general as~~
18 ~~it deems appropriate. As used in this subsection, "overcharge"~~
19 ~~means the number of gallons of gasoline sold, times the wholesale~~
20 ~~price at which the manufacturer or jobber sold regular unleaded,~~
21 ~~mid grade, or premium gasoline to a dealer retail station, an~~
22 ~~independent retail station, or another jobber or wholesaler, less~~



1 ~~taxes assessed, less the maximum pre tax wholesale price~~
2 ~~established pursuant to subsection (b).~~

3 ~~(m) The commission shall have the power to determine the~~
4 ~~extent to which a manufacturer, wholesaler, or jobber is~~
5 ~~complying with any requirement imposed or rule adopted under this~~
6 ~~section, including the power to compel a manufacturer,~~
7 ~~wholesaler, or jobber to submit documents, data, and information~~
8 ~~necessary and appropriate for the commission to determine such~~
9 ~~compliance. The commission may use data collected by the~~
10 ~~department of business, economic development, and tourism~~
11 ~~pursuant to chapter 486J, as well as obtain the assistance of~~
12 ~~that department in determining such compliance.~~

13 ~~(n) The commission shall report to the governor and the~~
14 ~~legislature, in a timely manner, on any significant aberrations,~~
15 ~~trends, or conditions that may adversely impact the gasoline~~
16 ~~consumers in the State.~~

17 ~~(o) The commission shall adopt rules pursuant to chapter 91~~
18 ~~as may be necessary to implement this section and section 486H-~~
19 ~~16."]~~

20 2. By repealing section 486H-15.

21 ["~~§486H-15 Governor's emergency powers.~~ (a)

22 ~~Notwithstanding any law to the contrary, the governor may~~



1 ~~suspend, in whole or in part, section 486H-13 or any rule adopted~~
2 ~~pursuant to that section whenever the governor issues a written~~
3 ~~determination that strict compliance with the section or a rule~~
4 ~~will cause a major adverse impact on the economy, public order,~~
5 ~~or the health, welfare, or safety of the people of Hawaii. In~~
6 ~~the written determination, the governor shall state the specific~~
7 ~~provision of the section or rule that strict compliance with will~~
8 ~~cause a major adverse impact on the economy, public order, or the~~
9 ~~health, welfare, or safety of the people of the State, along with~~
10 ~~specific reasons for that determination. The governor shall~~
11 ~~publish this determination in accordance with section 1-28.5.~~
12 ~~The suspension shall take effect upon issuance of the written~~
13 ~~determination by the governor.~~

14 ~~(b) Except as provided in subsection (c), the suspension~~
15 ~~under subsection (a) shall remain in effect until the earlier of:~~

16 ~~(1) The adjournment of the next regular or special session~~
17 ~~of the legislature; or~~

18 ~~(2) The effective date of any legislative enactment~~
19 ~~intended to address the major adverse impact;~~

20 ~~provided that if the legislature has passed legislation to~~
21 ~~address the major adverse impact, and the governor vetoes the~~
22 ~~presented legislation, the suspension shall terminate on the date~~



1 ~~of that veto, and the maximum pre tax wholesale gasoline prices~~
2 ~~in effect immediately prior to the issuance of the written~~
3 ~~determination by the governor shall take effect on the day after~~
4 ~~the date of the veto; and provided further that if no action is~~
5 ~~taken by the legislature during the regular or special session to~~
6 ~~address the major adverse impact, then the maximum pre tax~~
7 ~~wholesale gasoline prices in effect immediately prior to the~~
8 ~~issuance of the written determination by the governor shall take~~
9 ~~effect on the day after adjournment sine die of the regular or~~
10 ~~special session.~~

11 ~~(c) If the written determination is issued while the~~
12 ~~legislature is in session, the suspension under subsection (a)~~
13 ~~shall remain in effect until the earlier of:~~

14 ~~(1) The adjournment of that session of the legislature; or~~

15 ~~(2) The effective date of any legislative enactment~~

16 ~~intended to address the major adverse impact;~~

17 ~~provided that if the legislature has passed legislation to~~
18 ~~address the major adverse impact, and the governor vetoes the~~
19 ~~presented legislation, the suspension shall terminate on the date~~
20 ~~of that veto, and the maximum pre tax wholesale gasoline prices~~
21 ~~in effect immediately prior to the issuance of the written~~
22 ~~determination by the governor shall take effect on the day after~~



1 ~~the date of the veto; and provided further that if no action is~~
2 ~~taken by the legislature during the regular or special session to~~
3 ~~address the major adverse impact, then the maximum pre tax~~
4 ~~wholesale gasoline prices in effect immediately prior to the~~
5 ~~issuance of the written determination by the governor shall take~~
6 ~~effect on the day after adjournment sine die of the regular or~~
7 ~~special session.”]~~

8 3. By repealing section 486H-16.

9 [~~§486H-16 Adjustments. (a) A manufacturer, wholesaler,~~
10 ~~or jobber may petition the commission to adjust the maximum pre-~~
11 ~~tax wholesale price of regular unleaded, mid grade, or premium~~
12 ~~gasoline in the event of a change in the value of the baseline~~
13 ~~price for regular unleaded gasoline, the location adjustment~~
14 ~~factor, the marketing margin factor, the mid grade adjustment~~
15 ~~factor, the premium adjustment factor, or a zone price~~
16 ~~adjustment. The petitioner shall bear the burden of proof to~~
17 ~~establish by clear and convincing evidence the need for and the~~
18 ~~amount of any adjustment. The adjustments shall be determined as~~
19 ~~follows:~~

20 (1) ~~The value of the baseline price shall be equal to the~~
21 ~~average of:~~



1 ~~(A) The weekly average of the spot daily price for~~
2 ~~regular unleaded gasoline for Los Angeles;~~

3 ~~(B) The weekly average of the spot daily price for~~
4 ~~regular unleaded gasoline for New York Harbor; and~~

5 ~~(C) The weekly average of the spot daily price for~~
6 ~~regular unleaded gasoline for the United States~~
7 ~~Gulf Coast,~~

8 ~~as reported and published by the Oil Price Information~~
9 ~~Service for the five business days of the preceding~~
10 ~~week; provided that the commission, in its discretion,~~
11 ~~may determine a more appropriate baseline or a more~~
12 ~~appropriate price information reporting service;~~

13 ~~(2) The value of the location adjustment factor in effect~~
14 ~~at the time the petition is filed shall be adjusted to~~
15 ~~reflect the average of the actual acquisition cost to~~
16 ~~non-refiner marketers to obtain gasoline from refiners~~
17 ~~or importers for sale on the island of Oahu over the~~
18 ~~prior twelve-month period, which cost shall be taken~~
19 ~~from arm's length transactions between non-refiner~~
20 ~~marketers, and refiners or importers, such as exchange~~
21 ~~agreements, sales agreements, or other similar~~
22 ~~agreements; provided that the location adjustment~~



1 ~~factor shall not exceed the reasonable cost of~~
2 ~~importing gasoline to the island of Oahu. As used in~~
3 ~~this paragraph, "actual acquisition cost" means the~~
4 ~~amount over the base price of regular unleaded gasoline~~
5 ~~that a non-refiner marketer pays to a third party for~~
6 ~~delivery of such gasoline into a terminal located on~~
7 ~~the island of Oahu;~~

8 ~~(3) The value of the marketing margin factor in effect at~~
9 ~~the time the petition is filed shall be adjusted by~~
10 ~~adding to such value the difference between:~~

11 ~~(A) The average of the difference over the prior~~
12 ~~twelve-month period between:~~

13 ~~(i) The dealer tank wagon price for sales for~~
14 ~~resale for "regular" gasoline; and~~

15 ~~(ii) The bulk price for sales for resale for~~
16 ~~"regular" gasoline,~~

17 ~~for Petroleum Administration for Defense (PAD)~~

18 ~~District V, as reported and published by the~~

19 ~~Energy Information Administration or its successor~~

20 ~~in Table 31 - "Motor Gasoline Prices by Grade,~~

21 ~~Sales Type, PAD District, and State" or other~~

22 ~~source containing the same information; less~~



- 1 ~~(B) The average of the difference over the period from~~
2 ~~1994 until the most current year between:~~
- 3 ~~(i) The dealer tank wagon price for sales for~~
4 ~~resale for "regular" gasoline; and~~
- 5 ~~(ii) The bulk price for sales for resale for~~
6 ~~"regular" gasoline,~~
7 ~~for Petroleum Administration for Defense (PAD)~~
8 ~~District V, as reported and published by the~~
9 ~~Energy Information Administration or its successor~~
10 ~~in Table 31 -- "Motor Gasoline Prices by Grade,~~
11 ~~Sales Type, PAD District, and State" or other~~
12 ~~source containing the same information;~~
- 13 ~~(4) The value of the mid grade and premium adjustment~~
14 ~~factors in effect at the time the petition is filed~~
15 ~~shall be adjusted by any material change in the mid-~~
16 ~~grade and premium adjustment factor as published by an~~
17 ~~appropriate price information reporting service; and~~
- 18 ~~(5) The value of any zone price adjustment in effect at the~~
19 ~~time the petition is filed shall be adjusted based upon~~
20 ~~material changes in the operating costs for a zone,~~
21 ~~such as terminaling, storage, or distribution costs,~~



1 ~~and other empirical data the commission deems~~
2 ~~appropriate.~~

3 ~~(b) If the commission adjusts the maximum pre tax wholesale~~
4 ~~gasoline prices, the commission shall publish its findings and~~
5 ~~the adjusted prices by means that shall include the Internet~~
6 ~~website for the State of Hawaii.~~

7 ~~(c) Regardless of whether a petition has been filed and~~
8 ~~notwithstanding a determination of the adjustments made pursuant~~
9 ~~to subsection (a), the commission, in its discretion, may make~~
10 ~~such other and further adjustments deemed necessary and~~
11 ~~appropriate to establish maximum pre tax wholesale gasoline~~
12 ~~prices that reflect and correlate with competitive market~~
13 ~~conditions."]~~

14 SECTION 14. Section 486J-12, Hawaii Revised Statutes, is
15 repealed.

16 ~~["**§486J-12 Rules.** The commissioner shall adopt, amend, or~~
17 ~~repeal such rules as [the commissioner] may deem proper to fully~~
18 ~~effectuate this chapter."]~~

19 SECTION 15. On the effective date of this Act, the public
20 utilities commission shall suspend any and all duties with
21 respect to sections 486H-13 and 486H-16, Hawaii Revised Statutes.



1 SECTION 16. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2006-2007 to be
4 deposited into the petroleum industry monitoring, analysis, and
5 reporting special fund.

6 The sum appropriated shall be expended by the public
7 utilities commission for the purposes of this part.

8 SECTION 17. There is appropriated out of the petroleum
9 industry monitoring, analysis, and reporting special fund the sum
10 of \$ or so much thereof as may be necessary for fiscal
11 year 2006-2007 to establish the petroleum industry monitoring,
12 analysis, and reporting program established under chapter 486J,
13 Hawaii Revised Statutes.

14 The sum appropriated shall be expended by the public
15 utilities commission for the purposes of this part.

16 PART II

17 SECTION 18. The Hawaii Revised Statutes is amended by
18 adding a new chapter to be appropriately designated and to read
19 as follows:



1 for sale or delivery, offer for delivery, trade, barter, or
2 expose for sale.

3 **§ -2 Misrepresentations.** (a) It is unlawful for any
4 person to make any deceptive, false, or misleading statement by
5 any means whatsoever regarding quality, quantity, performance,
6 price, discount, profit, or savings used in the sale or selling
7 of any petroleum product regulated pursuant to this chapter or
8 chapters 486H and 486J.

9 (b) The following misleading, unfair, or deceptive acts or
10 practices committed or permitted by any person offering to sell
11 any petroleum product that is regulated by this chapter or
12 chapters 486H and 486J are also a violation of this section:

- 13 (1) Misrepresenting the brand, grade, quality, or price of
14 a petroleum product;
- 15 (2) Using false or deceptive representations or
16 designations in connection with the pricing, profits,
17 or sale of petroleum products;
- 18 (3) Advertising petroleum products or services and not
19 selling them as advertised;
- 20 (4) Advertising petroleum products of a designated brand,
21 grade, trademark, or trade name not actually sold or
22 available for sale;



1 (5) Making false, deceptive, or misleading statements
2 concerning conditions of sale, price reductions, costs
3 of operations, profits, or failing to disclose business
4 relationships within the petroleum industry that affect
5 the wholesale pricing of petroleum products;

6 (6) Representing that the consumer will receive a rebate,
7 discount, or other economic benefit and then failing to
8 give that rebate, discount, or other economic benefit;
9 and

10 (7) Forging or falsifying any records or documents required
11 by this chapter or chapter 486H or 486J or knowingly
12 keeping, using, or displaying the false or forged
13 records or documents.

14 **§ -3 Unlawful profiteering.** Any person who sells
15 petroleum products and who, with intent to enhance the price or
16 restrict the supply of petroleum products:

17 (1) Wilfully destroys or permits preventable waste in the
18 production, manufacture, storage, or distribution of
19 petroleum products;

20 (2) Prevents, limits, lessens, or restricts the
21 manufacture, production, supply, or distribution of
22 petroleum products;



1 (3) Enters into any contract, combination, or conspiracy in
2 restraint of trade or commerce;

3 (4) Exacts or demands any unjust or unreasonable profit in
4 the sale, exchange, or handling of petroleum products;

5 or

6 (5) In any way aids or abets the doing of any act stated
7 here,

8 shall commit an unlawful trade practice.

9 § -4 **Penalty.** Any person who sells petroleum products in
10 violation of this chapter shall be fined not more than \$10,000
11 for each violation or imprisoned for not more than five years, or
12 both.

13 § -5 **Injunctions.** Any person in violation of this
14 chapter may be enjoined by the circuit court by mandatory or
15 restraining order necessary or proper to effectuate the purposes
16 of this chapter in a suit brought by the attorney general in the
17 name of the State or by any private person in the person's own
18 name.

19 § -6 **Remedies cumulative.** The remedies prescribed in
20 this chapter are cumulative and in addition to any other remedies
21 provided by law."



1 SECTION 19. In codifying the new sections added by section
2 2 and section 18 of this Act, the revisor of statutes shall
3 substitute appropriate section numbers for the letters used in
4 designating the new sections in this Act.

5 SECTION 20. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 21. This Act shall take effect on July 1, 2020;
8 provided that section 13 shall take effect on January 1, 2008,
9 and section 18 shall take effect on July 1, 2007.



Report Title:

Petroleum Industry; Petroleum Industry Special Fund; Unfair Practices by Petroleum Industry

Description:

Establishes: (1) petroleum industry monitoring, analysis, and reporting special fund; (2) petroleum industry information reporting system; and (3) unfair practices by petroleum industry. Suspends enforcement of gasoline price limit program by PUC. (HB3115 HD2)

