
A BILL FOR AN ACT

RELATING TO PETROLEUM INDUSTRY MONITORING.

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

1 SECTION 1. The legislature finds that Act 78, Session Laws
2 of Hawaii 2006, requires the public utilities commission to
3 establish the petroleum industry monitoring, analysis, and
4 reporting program. In addition, the petroleum industry
5 monitoring, analysis, and reporting special fund was established
6 by Act 78 to be administered by the public utilities commission
7 for its namesake purpose. However, only \$1 was appropriated for
8 its purpose.

9 The purpose of this Act is to clarify and strengthen the
10 public utilities commission's authority under the petroleum
11 industry information and reporting act and to provide consumers
12 with true and effective transparency of petroleum industry
13 pricing methods by appropriating funds to the petroleum industry
14 monitoring, analysis, and reporting special fund.

15 SECTION 2. Section 486J-11, Hawaii Revised Statutes, is
16 amended to read as follows:



1 "[-]§486J-11[+] Powers of the public utilities commission.

2 (a) The public utilities commission [~~shall have the authority~~
3 ~~and power to~~] may take any action or make any determination
4 under this chapter, including but not limited to action or
5 determinations that affect persons not regulated under
6 chapters 269, 271, and 271G, as the commission deems necessary
7 to carry out its responsibilities or otherwise effectuate
8 chapter 269, 271, or 271G.

9 (b) The public utilities commission may examine or
10 investigate each distributor, the manner in which it is
11 operated, the prices and rates charged by it, its operating
12 costs and expenses, the value of its property and assets, the
13 amount and disposition of its income, and all its financial
14 transactions, its business relations with other persons,
15 companies, or corporations, its compliance with all applicable
16 state and federal laws, and all matters of every nature
17 affecting the relations and transactions between it and the
18 public or persons or businesses.

19 (c) In the performance of its duties under this chapter,
20 the commission shall have the same powers respecting
21 administering oaths, compelling the attendance of witnesses and
22 the production of documents, examining witnesses, and punishing



1 for contempt, as are possessed by circuit courts. In case of
 2 disobedience by any person to any order of the commission, or
 3 any subpoena issued by the commission, or of the refusal of any
 4 witness to testify to any matter regarding that which the
 5 witness may be questioned lawfully, any circuit court, on
 6 application by the commission, shall compel obedience as in case
 7 of disobedience of the requirements of a subpoena issued from a
 8 circuit court or a refusal to testify therein.

9 (d) Notwithstanding any provision of this chapter to the
 10 contrary, in order to most effectively facilitate the efficient
 11 reporting and analysis of information collected pursuant to this
 12 chapter and to allow flexibility in applicable reporting
 13 requirements for the broad range of persons and businesses
 14 affected, the commission, in its discretion, may determine which
 15 specific information must be reported by any person required to
 16 submit information under this chapter."

17 SECTION 3. There is appropriated out of the general
 18 revenues of the State of Hawaii the sum of \$, or so
 19 much thereof as may be necessary for fiscal year 2007-2008, and
 20 the same sum, or so much thereof as may be necessary for fiscal
 21 year 2008-2009, to be paid into the petroleum industry



1 monitoring, analysis, and reporting special fund created in
2 section 486J-5.6, Hawaii Revised Statutes.

3 SECTION 4. There is appropriated out of the petroleum
4 industry monitoring, analysis, and reporting special fund
5 created in section 486J-5.6, Hawaii Revised Statutes, the sum of
6 \$, or so much thereof as may be necessary for fiscal
7 year 2007-2008, and the same sum, or so much thereof as may be
8 necessary for fiscal year 2008-2009, for staff positions and to
9 carry out the purposes of the special fund.

10 The sums appropriated by this section shall be expended by
11 the public utilities commission for the purposes of this fund.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2007.



Report Title:

Petroleum Industry Monitoring, Analysis, and Reporting Special Fund

Description:

Clarifies and strengthens the public utilities commission's authority under the petroleum industry information and reporting act. Appropriates funds for the petroleum industry monitoring, analysis, and reporting special fund for staffing positions to carry out the purpose of the fund. (SD1)

