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# A BILL FOR AN ACT

RELATING TO THE PETROLEUM INDUSTRY.

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

1           SECTION 1. Section 486H-13, Hawaii Revised Statutes, is  
2 amended by amending subsection (k) to read as follows:  
3           "(k) The maximum pre-tax wholesale gasoline price imposed  
4 by this section shall take effect on September 1, 2005,  
5 notwithstanding the lack of the adoption of rules pursuant to  
6 this section; provided that notwithstanding any law to the  
7 contrary, the maximum pre-tax wholesale price under this section  
8 shall be suspended indefinitely [~~upon the effective date of Act~~  
9 ~~78, Session Laws of Hawaii 2006,~~] as of May 5, 2006, and shall  
10 not thereafter become effective until and unless [~~the governor~~  
11 ~~publishes a notice statewide in accordance with section 1-28.5~~  
12 ~~that the reinstatement of the maximum pre-tax wholesale price~~  
13 ~~under this section is beneficial to the economic well being,~~  
14 ~~health, and safety of the people of the State.~~] the baseline  
15 price for regular unleaded gasoline referred to in subsection  
16 (b), minus the marketing margin factor and the zone price  
17 adjustment, exceeds any of the spot daily prices for  
18 conventional regular unleaded gasoline in subsection (c), as



1 determined by the commission. The maximum pre-tax wholesale  
2 price shall become effective five days [~~after the publication of~~  
3 ~~the notice by the governor unless otherwise specified by the~~  
4 ~~governor,~~] thereafter and shall remain in effect [~~for thirty~~  
5 ~~days, after which time it shall be automatically suspended.~~  
6 ~~Thereafter, the governor may reinstate the maximum pre tax~~  
7 ~~wholesale price for thirty day periods on the same conditions as~~  
8 ~~set forth above. Upon a finding that the maximum pre tax~~  
9 ~~wholesale price would impose a financial hardship upon a~~  
10 ~~distributor within a zone, the governor, in the governor's~~  
11 ~~discretion, may increase the maximum pre tax wholesale price for~~  
12 ~~the zone in an amount determined necessary to eliminate the~~  
13 ~~financial hardship on any affected distributor who does not~~  
14 ~~operate a refinery within the State. Any increase in the~~  
15 ~~maximum pre tax wholesale price shall be included in the notice~~  
16 ~~published by the governor.] until the baseline price for regular  
17 unleaded gasoline referred to in subsection (b), minus the  
18 marketing margin factor and the zone price adjustment, falls  
19 below all of the spot daily prices for conventional regular  
20 unleaded gasoline in subsection (c), as determined by the  
21 commission. The commission shall make its determinations on a  
22 semimonthly basis beginning on October 1, 2011."~~



# H.B. NO. 1314

1           SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*Calvin K. Boy*

JAN 25 2011



**Report Title:**

Gasoline cap

**Description:**

Amends the gasoline-cap law to allow the cap to be triggered without the action of the Governor.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

