



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

**GOV. MSG. NO. 1362**

July 3, 2013

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 3, 2013, the following bill was signed into law:

HB811 HD2 SD1

RELATING TO ENERGY INFORMATION  
REPORTING  
**ACT 259 (13)**

*Sincerely,*  
*Neil Abercrombie*

NEIL ABERCROMBIE  
Governor, State of Hawaii

Approved by the Governor  
on JUL 3 2013

ACT 259

HOUSE OF REPRESENTATIVES  
TWENTY-SEVENTH LEGISLATURE, 2013  
STATE OF HAWAII

H.B. NO. 811  
H.D. 2  
S.D. 1

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# A BILL FOR AN ACT

RELATING TO ENERGY INFORMATION REPORTING.

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

1           SECTION 1. The purpose of this Act is to improve the ease  
2 and efficiency of Energy Industry Information Reporting Act  
3 processes for reporting entities by combining all information  
4 and registration gathering functions within the department of  
5 business, economic development, and tourism. This Act also  
6 clarifies enforcement and investigatory powers of the public  
7 utilities commission following the consolidation of information  
8 gathering and registration functions within the department of  
9 business, economic development, and tourism.

10           SECTION 2. Section 486B-1.5, Hawaii Revised Statutes, is  
11 amended to read as follows:

12           " [{}\$486B-1.5[{}] **Monitoring of petroleum industry**  
13 **information.** The public utilities commission or the department  
14 of business, economic development, and tourism shall refer to  
15 the attorney general any matter that is a violation of this  
16 chapter that is discovered in the performance of its duties  
17 pursuant to chapter 486H or 486J."

1 SECTION 3. 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 [~~commission~~] department on forms to be prescribed,  
6 prepared, and furnished by the [~~commission~~] department."

7 SECTION 4. Section 486J-11, Hawaii Revised Statutes, is  
8 repealed.

9 [~~§486J-11 Powers of the public utilities commission. (a)~~  
10 ~~The public utilities commission may take any action or make any~~  
11 ~~determination under this chapter, including but not limited to~~  
12 ~~actions or determinations that affect persons not regulated~~  
13 ~~under chapters 269, 271, and 271G, as the commission deems~~  
14 ~~necessary to carry out its responsibilities or otherwise~~  
15 ~~effectuate chapter 269, 271, or 271G.~~

16 ~~(b) The public utilities commission may examine or~~  
17 ~~investigate each distributor, the manner in which it is~~  
18 ~~operated, its prices and rates, its operating costs and~~  
19 ~~expenses, the value of its property and assets, the amount and~~  
20 ~~disposition of its income, any of its financial transactions,~~  
21 ~~its business relations with other persons, companies, or~~  
22 ~~corporations, its compliance with all applicable state and~~



1 ~~federal laws, and all matters of any nature affecting the~~  
2 ~~relations and transactions between the distributor and the~~  
3 ~~public, persons, or businesses.~~

4 ~~(c) In the performance of its duties under this chapter,~~  
5 ~~the commission shall have the same powers respecting~~  
6 ~~administering oaths, compelling the attendance of witnesses and~~  
7 ~~the production of documents, examining witnesses, and punishing~~  
8 ~~for contempt, as are possessed by the circuit courts. In case~~  
9 ~~of disobedience by any person to any order of or subpoena issued~~  
10 ~~by the commission, or of the refusal of any witness to testify~~  
11 ~~to any matter regarding which the witness may be lawfully~~  
12 ~~questioned, any circuit court, upon application by the~~  
13 ~~commission, shall compel obedience as in case of disobedience of~~  
14 ~~the requirements of a subpoena issued from a circuit court or a~~  
15 ~~refusal to testify therein." ]~~

16 SECTION 5. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2013.



H.B. NO.

811  
H.D. 2  
S.D. 1

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APPROVED this 3 day of JUL , 2013

*Neil Abernethy*

GOVERNOR OF THE STATE OF HAWAII