

---

---

# A BILL FOR AN ACT

RELATING TO ENERGY ASSURANCE.

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

1           SECTION 1. Chapter 125C, Hawaii Revised Statutes, is  
2 amended by adding four new sections to part I to be  
3 appropriately designated and to read as follows:

4           "§125C-A Information and analysis required for state  
5 energy planning, energy assurance planning, and energy supply  
6 risk assessment and resilience planning. (a) The energy  
7 office, with its own staff and agents whom the chief energy  
8 officer designates as authorized representatives, shall use the  
9 information, including confidential information, received from  
10 all sources solely to effectuate the purposes of this chapter,  
11 chapter 127A, and chapter 196.

12           (b) The chief energy officer shall conduct systematic  
13 quantitative and qualitative analyses of the State's energy  
14 resources that the chief energy officer determines are necessary  
15 to:

16           (1) Assess and report on any actual or potential energy  
17 supply disruption or shortage that threatens to impair



1           the public health, safety, and welfare and to preserve  
2           the lives and property of the people of the State;  
3           (2) Produce energy ecosystem assessments to determine  
4           risks, vulnerabilities, criticalities,  
5           interdependencies, impacts, consequences, and  
6           mitigation strategies related to any actual or  
7           potential emergency or disaster impacting the State;  
8           (3) Develop an understanding of causes and effects of  
9           transitional issues and trends related to changes in  
10           the State's energy resources, systems, and markets;  
11           (4) Establish and maintain baseline data and information  
12           on Hawaii's statewide energy resources, systems, and  
13           markets, and their relationships to energy investment  
14           decisions and the economy in support of measures to  
15           increase energy resiliency, reduce vulnerabilities,  
16           and preserve Hawaii's energy security;  
17           (5) Develop energy assurance and emergency response plans  
18           and measures, which in the event of an actual energy  
19           shortage or supply disruption, are used to determine  
20           and recommend if emergency government intervention may  
21           be necessary and appropriate, and implement and



1 evaluate the effectiveness of such emergency  
2 intervention while promoting informed, transparent,  
3 and defensible decision making; and  
4 (6) Produce other relevant energy analyses that the chief  
5 energy officer deems necessary to administer the  
6 energy planning, energy emergency planning, energy  
7 assurance planning, and energy security policies  
8 pursuant to this chapter, and other activities in  
9 support of the chief energy officer's role and  
10 responsibilities pursuant to chapters 127A and 196 and  
11 other relevant laws.

12 §125C-B Confidential information. (a) Information  
13 provided to the energy office for the purposes of this chapter  
14 shall be kept confidential to the extent it falls under an  
15 exception to disclosure in section 92F-13.

16 (b) Unless otherwise provided by law, with respect to data  
17 that the public utilities commission or energy office obtained  
18 or was provided pursuant to this chapter, neither the public  
19 utilities commission or energy office nor any employee of the  
20 commission or energy office may do any of the following:



- 1        (1) Use the information furnished or obtained for any
- 2                    purpose other than the purposes for which it is
- 3                    supplied;
- 4        (2) Make any publication whereby the data furnished by any
- 5                    person can be identified; or
- 6        (3) Permit any person other than the public utilities
- 7                    commission, department of taxation, attorney general,
- 8                    consumer advocate, energy office, and authorized
- 9                    representatives and employees of each to examine the
- 10                   individual reports or statements provided.

11        **§125C-C Confidential information obtained by another state**

12 **agency.** Any confidential information pertinent to the

13 responsibilities of the energy office specified in this chapter

14 that is obtained by another state agency, including the

15 department of taxation, attorney general, and consumer advocate,

16 shall be available only to the attorney general, attorney

17 general's authorized representatives, energy office, and public

18 utilities commission and shall be treated in a confidential

19 manner.

20        **§125C-D Definitions.** As used in this chapter, unless the

21 context otherwise requires:



1       "Agent" means a person who is designated by the chief  
2 energy officer as an authorized representative.

3       "Chief energy officer" means the chief energy officer of  
4 the Hawaii state energy office, established pursuant to section  
5 196-72, and the governor's authorized representative for energy.

6       "Dealer" means any person engaged in the retail sale of  
7 fuel in the State.

8       "Distributor" means any person who:

9       (1) Refines, manufactures, produces, or compounds fuel in  
10 the State and sells it at wholesale or at retail;

11       (2) Imports or causes to be imported into the State, or  
12 exports or causes to be exported from the State, any  
13 fuel;

14       (3) Acquires fuel through exchanges with another  
15 distributor; or

16       (4) Purchases fuel for resale at wholesale or retail from  
17 any person described in paragraph (1), (2), or (3);

18 provided that "distributor" shall not include a marina, lessee  
19 dealer-operated station, owner-operated station, or other  
20 retailer that retails fuel only to end users or the public.



1       "Electricity" means all electrical energy produced by  
2 combustion of any fuel, or generated or produced using wind, the  
3 sun, geothermal heat, ocean water, falling water, currents, and  
4 waves, or any other source.

5       "Energy" means work or heat that is, or may be, produced  
6 from any fuel or source whatsoever.

7       "Energy office" means the Hawaii state energy office.

8       "Energy resources" means fuel, and also includes all  
9 electrical or thermal energy produced by combustion of any fuel,  
10 or generated or produced using wind, the sun, geothermal heat,  
11 ocean water, falling water, currents, and waves, or any other  
12 source.

13       "Fuel" means fuels, whether liquid, solid, or gaseous,  
14 commercially usable for energy needs, power generation, and  
15 fuels manufacture, that may be manufactured, grown, produced, or  
16 imported into the State or that may be exported therefrom,  
17 including petroleum, petroleum products and gases to include all  
18 fossil fuel-based gases, coal tar, vegetable ferments, biomass,  
19 municipal solid waste, biofuels, hydrogen, agricultural products  
20 used as fuels and as feedstock to produce fuels, and all fuel  
21 alcohols.



1       "Major energy marketer" means any person who sells energy  
2 resources in amounts determined by the chief energy officer as  
3 having a major effect on the supplies of, or demand for, energy  
4 resources.

5       "Major energy producer" means any person who produces  
6 energy resources in amounts determined by the chief energy  
7 officer as having a major effect on the supplies of, or demand  
8 for, energy resources.

9       "Major energy transporter" means any person who transports  
10 energy resources in amounts determined by the chief energy  
11 officer as having a major effect on the supplies of, or demand  
12 for, energy resources.

13       "Major energy user" means any person who uses energy  
14 resources in the manufacture of products or for the generation  
15 of electricity in amounts determined by the chief energy officer  
16 as having a major effect on the supplies of, or demand for,  
17 energy resources.

18       "Major fuel storer" means any person who stores fuels in  
19 amounts determined by the chief energy officer as having a major  
20 effect on the supplies of, or demand for, energy resources."



1 SECTION 2. Chapter 125C, Hawaii Revised Statutes, is  
2 amended by amending its title to read as follows:

3 "CHAPTER 125C

4 [~~PROCUREMENT, CONTROL, DISTRIBUTION AND SALE OF PETROLEUM~~  
5 ~~PRODUCTS~~] ENERGY ASSURANCE AND FUEL SECURITY"

6 SECTION 3. Section 125C-1, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "§125C-1 Findings and purpose. The legislature finds that  
9 adequate supplies of [~~petroleum products~~] energy resources are  
10 essential to the health, welfare, and safety of the people of  
11 Hawaii, and that any [~~severe disruption in petroleum product~~  
12 ~~supplies for use~~] actual or potential disruption or shortage of  
13 energy resources within the State would cause grave hardship,  
14 pose a threat to the economic well-being of the people of the  
15 State, and have significant adverse effects upon public  
16 confidence and order and effective conservation of [~~petroleum~~  
17 ~~products.~~] energy resources. The purpose of this chapter is to  
18 grant to the governor or [~~the governor's authorized~~  
19 ~~representative~~] chief energy officer the clear authority, when  
20 the governor by proclamation declares the existence of a state  
21 of emergency in the State or when shortages of [~~petroleum~~] fuel





1 products occur or are anticipated, to acquire and analyze  
2 information, including confidential information, to conduct  
3 systematic quantitative and qualitative analyses required for  
4 state energy planning, energy assurance planning, energy  
5 emergency planning, and energy supply risk assessment and  
6 resilience. This authority allows the governor or chief energy  
7 officer to adequately plan and prepare for, respond to, recover  
8 from, and mitigate against any actual or potential energy supply  
9 disruption or shortage, and to preserve the State's energy  
10 security. Another purpose of this chapter is to control the  
11 distribution and sale of [petroleum] fuel products in this  
12 State, to procure such products, and to impose rules that will  
13 provide extraordinary measures for the conservation of  
14 [petroleum] energy resources and the allocation of fuel products  
15 and for [~~their~~] the distribution and sale of fuel in an orderly,  
16 efficient, and safe manner."

17 SECTION 4. Section 125C-2, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "§125C-2 "Shortage" and "state of emergency" defined. As  
20 used in this chapter, unless otherwise indicated by the context,  
21 a "shortage" exists whenever the governor determines that there



1 is an increase in the demand for any [~~petroleum~~] fuel product or  
2 there is a decrease in the available supply for the [~~petroleum~~]  
3 fuel product in question, or both; and [~~such~~] the decrease in  
4 the available supply of or increase in the demand for the  
5 [~~petroleum~~] fuel product in question, or both, may cause a major  
6 adverse impact on the economy, public order, or the health,  
7 welfare, or safety of the people of Hawaii and may not be  
8 responsibly managed within the [~~free~~] prevailing market  
9 distribution system. As used in this chapter, unless otherwise  
10 indicated by the context, a "state of emergency" means an  
11 occurrence in any part of the State that requires efforts by  
12 state government to protect property, public health, welfare, or  
13 safety in the event of an emergency or disaster, or to reduce  
14 the threat of an emergency or disaster, or to supplement the  
15 local efforts of the county. Further, the governor may, by  
16 proclamation of a state of emergency in the State under section  
17 127A-14, require [~~importers~~] major energy producers,  
18 distributors, major energy marketers, major fuel storers, major  
19 energy transporters, and major energy users of any [~~petroleum~~]  
20 fuel or fuel product [~~or other fuel~~] to monitor and report to  
21 the [~~department of business, economic development, and tourism~~]



1 energy office relevant supply and demand data[-] and  
2 information, including confidential information, on aspects of  
3 the State's energy resources, systems, and markets. The  
4 governor shall review the status of a shortage within one  
5 hundred twenty days after the governor's initial determination  
6 of a shortage as defined under this chapter; thenceforth, the  
7 governor shall conduct a review of the shortage to make a new  
8 determination every thirty days until a shortage no longer  
9 exists. Further, the monitoring and reporting authorities  
10 pursuant to a declared state of emergency in the State shall  
11 terminate under the provisions contained in section 127A-14(d)."

12 SECTION 5. Section 125C-3, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "§125C-3 Powers in a shortage[-] or state of emergency.  
15 When a shortage or a state of emergency in the State as defined  
16 in section 125C-2 [~~exists,~~] has been declared by the governor,  
17 the governor or [~~the governor's authorized representative,~~]  
18 chief energy officer, to plan and prepare for, respond to,  
19 recover from, and mitigate against any actual or potential  
20 energy supply disruption or shortage, to preserve the State's  
21 energy security, and to ensure that [petroleum] fuel products



1 and energy resources are made available to the public in an  
2 orderly, efficient, and safe manner, may:

3 (1) Control the retail distribution and sale of  
4 [~~petroleum~~] fuel products by adopting rules that may  
5 include, but are not limited to, the following  
6 measures:

7 (A) Restricting the sale of [~~petroleum~~] fuel products  
8 to specific days of the week, hours of the day or  
9 night, odd- and even-numbered calendar days, and  
10 vehicles having less than a specified amount of  
11 gasoline in their tanks, with exceptions for  
12 certain designated geographical areas;

13 (B) Restricting sales of [~~petroleum~~] fuel products by  
14 dealers to daily allocations, which shall be  
15 determined by dividing the monthly allocation by  
16 the number of selling days per month;

17 (C) Requiring dealers to post signs designating their  
18 hours of operation and the sell-out of daily  
19 allocation;

20 (D) Instituting a statewide [~~rationing~~] shortage  
21 management plan; and



- 1 (E) Allowing for special handling for essential  
2 commercial and emergency-user vehicles;
- 3 (2) Require that a percentage of [~~petroleum~~] fuel  
4 products, not to exceed five per cent, be set aside to  
5 alleviate hardship; provided that aviation gasoline  
6 set aside shall not exceed ten per cent;
- 7 (3) Purchase and resell or otherwise distribute  
8 [~~petroleum~~] fuel products [~~, and purchase and resell or~~  
9 ~~otherwise distribute ethanol that is produced within~~  
10 ~~the State and can be used as a substitute for~~  
11 ~~petroleum products~~];
- 12 (4) Temporarily suspend for the duration of a shortage or  
13 a state of emergency, standards that may affect or  
14 restrict the use of a substitute fuel to meet energy  
15 demand;
- 16 (5) Implement fuel shortage emergency response measures,  
17 including state government supply enhancement, supply  
18 management, regulatory waivers, and demand restraint  
19 measures, to assure fuel supplies for essential public  
20 service during a shortage or state of emergency;



- 1        (6) Acquire and analyze information, including  
2        confidential information, to conduct systematic  
3        quantitative and qualitative analyses required for  
4        state energy planning, energy assurance planning,  
5        energy emergency planning, and energy supply risk  
6        assessment and resilience;
- 7        [~~+4~~] (7) Receive, expend, or use contributions or grants  
8        in money or property, or special contributions thereof  
9        for special purposes not inconsistent with this  
10       chapter;
- 11       [~~+5~~] (8) Borrow and expend moneys needed to exercise the  
12       powers granted under this section;
- 13       [~~+6~~] (9) Contract in the name of the State for the purpose  
14       of implementing this chapter or any part [~~thereof,~~]  
15       hereof; and
- 16       [~~+7~~] (10) Exercise the powers granted under this section  
17       to the degree and extent deemed by the governor to be  
18       necessary, including the temporary or indefinite  
19       suspension of all or part of the measures taken, as  
20       the governor deems appropriate."



1 SECTION 6. Section 125C-4, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§125C-4 Adopting, filing, and taking effect of rules.

4 The governor or [~~the governor's authorized representative~~] chief  
5 energy officer shall adopt rules pursuant to chapter 91, to  
6 [~~insure~~] ensure that [~~petroleum~~] fuel products and energy  
7 resources are made available to the public in an orderly,  
8 efficient, and safe manner, to become effective when a shortage,  
9 as defined in section 125C-2, exists. If additional and  
10 unforeseen measures are required to [~~insure~~] ensure that  
11 [~~petroleum~~] fuel products are distributed in an orderly,  
12 efficient, and safe manner, the governor or [~~the governor's~~  
13 ~~authorized representative~~] chief energy officer may proceed  
14 without prior notice or hearing or upon such abbreviated notice  
15 and hearing as the governor finds practicable to adopt  
16 additional rules authorized under this chapter with the  
17 additional rules to be effective for a period of not longer than  
18 one hundred twenty days without renewal. Any rule so adopted  
19 may be amended or repealed by the governor or chief energy  
20 officer without prior notice or hearing or upon abbreviated  
21 notice and hearing prior to the expiration of the one hundred



1 twenty-day period; provided that no amendment shall extend the  
 2 rule beyond the original period of one hundred [~~and~~] twenty  
 3 days. To be effective after the one hundred twenty-day period,  
 4 the rules shall be adopted pursuant to chapter 91. Each rule  
 5 adopted, amended, or repealed shall become effective as adopted,  
 6 amended, or repealed upon approval by the governor and filing  
 7 with the lieutenant governor. Each rule in effect shall have  
 8 the force and effect of law, but the effect of each rule may be  
 9 temporarily or indefinitely suspended by the governor by written  
 10 declaration filed with the lieutenant governor. Each rule  
 11 temporarily suspended shall take effect again immediately upon  
 12 expiration of the suspension period. Each rule indefinitely  
 13 suspended shall take effect immediately upon the filing with the  
 14 lieutenant governor of the written declaration by the governor  
 15 terminating the suspension."

16 SECTION 7. Section 125C-6, Hawaii Revised Statutes, is  
 17 amended to read as follows:

18 "[~~+~~]~~§125C-6~~[~~+~~] **Petition for adoption, amendment, repeal,**  
 19 **or suspension of rules.** Any interested person may petition the  
 20 governor or [~~the governor's authorized representative~~] chief  
 21 energy officer requesting the adoption, amendment, repeal, or





1 suspension of any rule and stating reasons therefor. The  
2 governor or [~~the governor's authorized representative~~] chief  
3 energy officer shall prescribe the form for the petitions and  
4 the procedures for their submission, consideration, and  
5 disposition[~~7~~] and, within thirty days after submission of the  
6 petition, shall either deny the petition in writing, stating the  
7 governor's or [~~the governor's authorized representative's~~] chief  
8 energy officer's reasons for the denial, or grant the petition  
9 and adopt, amend, repeal, or suspend the rule accordingly."

10 SECTION 8. Section 125C-8, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 "§125C-8 Personnel; delegation of powers. (a) The chief  
13 energy officer shall fulfill and effectuate the purposes of this  
14 chapter.

15 (b) The governor or chief energy officer may appoint or  
16 employ temporary boards, agencies, officers, employees, and  
17 other persons, or any of them, for the purpose of carrying out  
18 the provisions of this chapter. All such temporarily appointed  
19 or employed officers and employees, whether or not employed by  
20 contract, shall be exempt from and not subject to nor entitled  
21 to the benefits of the provisions of chapters 76 and 88, or any



1 other law, collective bargaining agreement, executive order,  
2 executive directive, or rule that is inapplicable to temporary  
3 employees of the State."

4 SECTION 9. Section 125C-9, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "[+] §125C-9 [+] Investigations, information collection, and  
7 surveys. The governor or [~~the governor's authorized~~  
8 ~~representative~~] chief energy officer may make investigations,  
9 collect information, including confidential information, and  
10 conduct surveys for the purpose of ascertaining facts to be used  
11 in administering this chapter, and in making the investigations,  
12 collecting the information, and conducting the surveys, may  
13 require the making, filing, or keeping of applications,  
14 schedules, records, reports, or statements, under oath or  
15 otherwise, administer oaths, take evidence under oath, subpoena  
16 witnesses, and require the production of books, papers, and  
17 records. Witnesses shall be allowed their fees and mileage as  
18 in cases in the circuit courts. The circuit court of any  
19 circuit or judge thereof may enforce by proper proceedings the  
20 attendance and testimony of any witness subpoenaed to appear



1 within the circuit, or the production of books, papers, and  
2 records."

3 SECTION 10. Section 125C-10, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 " ~~[+]§125C-10[+]~~ **Fraud; ~~[misdemeanor.]~~ penalties.** Any  
6 person required by the governor or ~~[the governor's authorized~~  
7 ~~representative,]~~ chief energy officer, pursuant to ~~[section~~  
8 ~~125C-9,]~~ this chapter, to make, keep, or file any application,  
9 schedule, record, report, or statement, whether or not under  
10 oath, who intentionally makes, files, or keeps a false or  
11 fraudulent application, schedule, report, or statement or  
12 intentionally conceals therein any material fact, and any person  
13 who in any other manner intentionally deceives or attempts to  
14 deceive the governor or ~~[the governor's authorized~~  
15 ~~representative]~~ chief energy officer with respect to any fact to  
16 be used in administering this chapter, and any person who  
17 intentionally fails to observe and comply with any rule  
18 ~~[promulgated]~~ adopted under this chapter, shall be ~~[guilty of a~~  
19 ~~misdemeanor.]~~ assessed a civil penalty of not more than \$10,000  
20 per violation."



1 SECTION 11. Chapter 125C, Hawaii Revised Statutes, is  
2 amended by amending the title of part II to read as follows:

3 "PART II. HARDSHIP SET-ASIDE AND ALLOCATION OF [PETROLEUM] FUEL  
4 PRODUCTS DURING A SHORTAGE"

5 SECTION 12. Section 125C-21, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "§125C-21 Definitions. ["Petroleum] As used in this part:

8 "Fuel product" means any fuel subject to the set-aside  
9 system described in this chapter, including heating oils, [light  
10 and heavy diesel oil,] all classifications of diesel fuels,  
11 motor gasoline[,] and all blends of motor gasoline with other  
12 fuel products, propane, butane, residual fuel oils, kerosene,  
13 naphtha, biodiesel, ethanol, suboctane motor fuel, and aviation  
14 fuels used for emergency and essential intrastate air transport  
15 services, but excluding all other aviation fuels.

16 "Prime supplier" means any individual, trustee, agency,  
17 partnership, association, corporation, company, municipality,  
18 political subdivision, or other legal entity [which] that makes  
19 the first sale of any [~~liquid fossil~~] fuel product into the  
20 state distribution system for consumption within the State."



1 SECTION 13. Section 125C-22, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§125C-22 **When set-aside required.** When a shortage or a  
4 state of emergency as defined in section 125C-2 exists, all  
5 prime suppliers shall set aside supplies of each [~~petroleum~~]  
6 fuel product for which there is a shortage. The amount set  
7 aside shall be in accordance with [~~the~~] any rules adopted by the  
8 [~~state energy resources coordinator.~~] chief energy officer."

9 SECTION 14. Section 125C-23, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "§125C-23 **Set-aside system.** The [~~state energy resources~~  
12 ~~coordinator~~] chief energy officer shall adopt rules establishing  
13 a [~~petroleum~~] fuel products set-aside system. The purpose of  
14 this system shall be:

- 15 (1) The protection of public health, safety, and welfare;  
16 (2) The maintenance of public services, utilities, and  
17 transportation, including emergency and essential  
18 intrastate air and maritime transport services;  
19 (3) The maintenance of critical agricultural and  
20 aquaculture operations [~~, including farming,~~  
21 ~~horticulture, dairy, fishing,~~] and related services;



1 (4) The preservation of economically sound and competitive  
2 industry, through the equitable acquisition and  
3 distribution of [~~petroleum~~] fuel products; and

4 (5) The promotion of efficiency[~~7~~] and conservation, with  
5 minimum economic disruptions, during a shortage of  
6 [~~petroleum~~] fuel products.

7 The rules establishing the set-aside system shall be adopted in  
8 accordance with chapter 91."

9 SECTION 15. Section 125C-31, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "[~~+~~] §125C-31 [~~]- Biennial state~~] State energy [~~emergency~~  
12 ~~preparedness~~] assurance plan. (a) The [~~department of business,~~  
13 ~~economic development, and tourism~~] energy office shall prepare a  
14 comprehensive and integrated [~~biennial~~] state energy [~~emergency~~  
15 ~~preparedness~~] assurance plan to be implemented in the event  
16 of [~~7~~] a state of emergency, or in anticipation of [~~7~~] a change in  
17 the State's [~~petroleum~~] energy supply or demand situation that  
18 is judged by the governor or chief energy officer to be  
19 unmanageable by the [~~free market.~~] prevailing markets. The  
20 [~~department of business, economic development, and tourism~~]  
21 energy office shall prepare a [~~biennial~~] state energy [~~emergency~~



1 ~~preparedness]~~ assurance plan [~~in every even numbered year]~~ in  
2 accordance with the following:

3 [~~(1) The biennial state energy emergency preparedness plan~~  
4 ~~shall replace the energy emergency plan developed by~~  
5 ~~the energy resources coordinator, who shall act as the~~  
6 ~~governor's authorized representative under this~~  
7 ~~chapter,~~

8 ~~(2)]~~ (1) In preparing the [~~biennial]~~ state energy  
9 [~~emergency preparedness]~~ assurance plan, the  
10 [~~department]~~ energy office shall:

11 (A) Solicit input, comment, and review from [~~the~~  
12 ~~governor's energy emergency preparedness advisory~~  
13 ~~committee composed of representatives of federal,~~  
14 ~~state, and county governments; private energy~~  
15 ~~suppliers; consumer and other public interest~~  
16 ~~groups; and the public at large;]~~ key  
17 stakeholders, including public, private, and non-  
18 profit sector organizations at the county, state,  
19 and federal levels; and

20 (B) Establish [~~other]~~ task forces and advisory  
21 groups, as may be deemed necessary, to assist in



1           the preparation and review of the [~~biennial~~]  
2           state energy [~~emergency preparedness~~] assurance  
3           plan;

4       [~~(3)~~] (2) The [~~biennial~~] state energy [~~emergency~~  
5       ~~preparedness~~] assurance plan shall be comprehensive  
6       and encompassing, and shall integrate into its  
7       analytic and planning framework the plans of electric  
8       and gas utilities and other energy suppliers, relevant  
9       state agencies, [~~including the department of~~  
10      ~~transportation,~~] counties, and such other entities as  
11      deemed appropriate; and

12      [~~(4)~~] (3) The [~~biennial~~] state energy [~~emergency~~  
13      ~~preparedness~~] assurance plan shall include a review  
14      and update of the previous [~~biennial~~] state energy  
15      [~~emergency preparedness~~] assurance plan and [~~a review~~  
16      ~~of the energy emergency plans prepared by the~~  
17      ~~counties.~~] shall be prepared or updated as determined  
18      by the chief energy officer to be necessary to comport  
19      with changes in federal or state overall emergency  
20      management policies and plans that significantly





1 affect the State's energy assurance plan or as  
2 warranted by changes in Hawaii's energy security.

3 (b) The [~~department~~] energy office shall prepare an energy  
4 emergency communication plan, which shall be [~~updated~~  
5 ~~biennially~~] part of the state energy assurance plan and shall be  
6 consistent with [~~the energy emergency preparedness~~] any other  
7 energy emergency management plans prepared by the counties[~~-~~]  
8 and the State. The energy emergency communication plan shall be  
9 used by the [~~State and counties~~] energy office to communicate  
10 and otherwise coordinate [~~state and county~~] actions taken in  
11 response to implementing the [~~biennial~~] state energy [~~emergency~~  
12 ~~preparedness~~] assurance plan."

13 SECTION 16. Section 125C-32, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 " [~~+~~] §125C-32 [~~-~~] ~~Biennial county~~] County energy emergency  
16 preparedness plans. The mayor of each county, or the mayor's  
17 authorized representative, shall [~~prepare a comprehensive~~] be  
18 responsible for preparing a county energy emergency preparedness  
19 plan. The plan shall be prepared in coordination with and be  
20 consistent with the [~~biennial~~] state energy [~~emergency~~  
21 ~~preparedness~~] assurance plan[~~-~~] and shall be implemented in



1 coordination with the state energy [~~emergency preparedness~~  
2 assurance plan upon declaration of [~~an energy emergency by the~~  
3 ~~governor. Not later than September 30 of every even-numbered~~  
4 ~~year, each county shall prepare and transmit to the director of~~  
5 ~~business, economic development, and tourism the county's~~  
6 ~~biennial county energy emergency preparedness plan.] a shortage  
7 or a state of emergency."~~

8 SECTION 17. In codifying the new sections added by section  
9 1 of this Act, the revisor of statutes shall substitute  
10 appropriate section numbers for the letters used in designating  
11 the new sections in this Act.

12 SECTION 18. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 19. This Act shall take effect on July 1, 2100.



**Report Title:**

Hawaii State Energy Office; Chief Energy Officer; Energy Resources; Energy Emergency Preparedness; Shortage

**Description:**

Requires the Hawaii state energy office to conduct analyses in relation to the State's energy production and distribution. Clarifies the confidentiality in information received by the Hawaii state energy office and PUC. Clarifies the governor's and Chief energy officer's powers and procedures during a shortage. Effective 7/1/2100. (HD2)

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

