

ACT 5

S.B. NO. 1867-74

A Bill for an Act Relating to Emergency Powers.

Be It Enacted by the Legislature of the State of Hawaii:

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

“PROCUREMENT AND CONTROL
OF DISTRIBUTION OF
NECESSARY COMMODITIES”

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

“**Sec. 125-2 Powers in an emergency.** If the governor declares that an emergency as defined in section 125-1 exists, he or his authorized representatives, to make available commodities necessary to the public health, safety, or welfare, or to insure the availability of commodities required to maintain commerce to or within the State under normal conditions, may:

- (1) Whenever the availability of shipping space depends upon determination by the governor or his authorized representatives, of the emergency needs of the population, allocate space to and among types of commodities and consignees, such distribution of space among consignees to be upon an equitable basis so far as reasonably practicable.
- (2) Charter or affreight a ship or ships, make any other arrangements, including contracts of guaranty, for the procurement of ships and any other means of transportation, and transport cargoes to the State. Cargoes from the State may be transported on any return voyage.
- (3) Purchase and resell, or otherwise distribute commodities.
- (4) Control and distribution of commodities by rules and regulations promulgated pursuant to chapter 91.”

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

“**Sec. 125-7 Fraud, misdemeanor.** Any person required by the governor or his authorized representative, pursuant to section 125-6, to make, keep, or file any application, schedule, record, report, or statement, whether or not under oath, who intentionally makes, files, or keeps a false or fraudulent application, schedule, record, report, or statement or intentionally conceals therein any material fact, and any person who in any other manner intentionally deceives or attempts to deceive the governor or his authorized representative with respect to any fact to be used in administering this chapter, and any person who fails to observe and comply with the rules and regulations promulgated under this chapter, shall be fined not more than \$1,000 or imprisoned not more than six months, or both.”

SECTION 4. New statutory material is underscored. In printing this Act, the revisor of statutes need not include the underscoring.*

SECTION 5. This Act shall take effect upon its approval.

(Approved March 14, 1974.)

*Edited accordingly.