

## ACT 216

H.B. NO. 2108-86

A Bill for an Act Relating to Control of Petroleum Products.

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

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

**“§125C-4 Adopting, filing, and taking effect of rules.** [When a shortage as defined in section 125C-2 exists,] The governor or the governor’s authorized representative shall adopt rules pursuant to chapter 91, to insure that petroleum products are made available to the public in an orderly, efficient, and safe manner, to become effective when a shortage, as defined in section 125C-2, exists. If additional and unforeseen measures are required to insure that petroleum products are distributed in an orderly, efficient, and safe manner, the governor or [his] the governor’s authorized representative may proceed without prior notice or hearing or upon such abbreviated notice and hearing as [he] the governor finds practicable to adopt additional rules authorized under this chapter with the additional rules to be effective for a period of not longer than one hundred twenty days without renewal. Any rule so adopted may be amended or repealed by the governor without prior notice or hearing or upon abbreviated notice and hearing prior to the expiration of the one-hundred-twenty-day period; provided that no amendment shall extend the rule beyond the original period of one hundred and twenty days. To be effective after the one-hundred-twenty-day period, [such] the rules shall be adopted pursuant to chapter 91. Each rule adopted, amended, or repealed shall become effective as adopted, amended, or repealed upon approval by the governor and filing with the lieutenant governor. Each rule in effect shall have force and effect of law, but the effect of each rule may be temporarily or indefinitely suspended by the governor by written declaration filed with the lieutenant governor. Each rule temporarily suspended shall take effect again immediately upon expiration of the suspension period. Each rule indefinitely suspended shall take effect immediately upon the filing with the lieutenant governor of the written declaration by the governor terminating the suspension.”

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 Statutory material to be repealed is bracketed.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

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

(Approved May 27, 1986.)