

STAND. COM. REP. NO.

562

Honolulu, Hawaii

FEB 16 2007

RE: S.B. No. 1229
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committees on Commerce, Consumer Protection, and Affordable Housing and Judiciary and Labor, to which was referred S.B. No. 1229 entitled:

"A BILL FOR AN ACT RELATING TO SCRAP DEALERS,"

beg leave to report as follows:

The purpose of this measure is to prohibit scrap dealers from accepting copper from any person under the age of eighteen and from accepting fifteen or more pounds of copper from any person who is unable to supply the required identification.

This measure also requires scrap dealers to take a thumbprint of all persons selling more than fifteen pounds of copper.

In addition, this measure requires the Department of Commerce and Consumer Affairs to maintain a copper database and requires scrap dealers to submit information regarding certain copper transactions on a quarterly basis, which is to be made available to law enforcement agencies.

Testimony in support of this measure was submitted by the Department of the Prosecuting Attorney of the City and County of Honolulu. Testimony in opposition to this measure was received by the Honolulu Police Department; Okuda Metal, Inc.; and Reynolds Recycling. Comments were provided by the Department of the Attorney General.



Your Committees find that the recent increase in prices for scrap metal such as copper has caused a spate of copper thefts in the State. Recent thefts are costing resident taxpayers, public utility companies, private companies, and state entities significant revenue to replace the copper that is stolen and to repair the damage caused by these thefts. The intent of this measure is to deter copper theft by placing stricter restrictions on the acceptance of copper by scrap dealers and by requiring that the Department of Commerce and Consumer Affairs establish a database into which required scrap dealer reports will be entered and made available to law enforcement.

Your Committees note that the testimony of the Department of the Attorney General, the Prosecuting Attorney of the City and County of Honolulu, and the Honolulu Police Department all note a preference for S.B. 1332, S.D. 1, as the vehicle for addressing the growing problem of copper theft in the State.

In order to address some of the concerns raised in the testimony of the Department of the Attorney General, your Committees have amended this measure to:

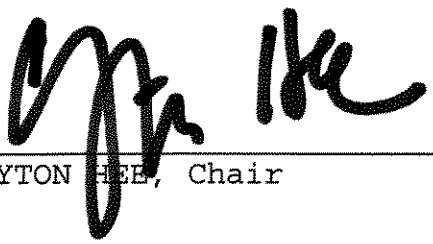
- (1) Remove the language that the identification requirements only apply to persons redeeming fifteen pounds or more of copper and instead require that all persons redeeming copper, regardless of amount, be subject to the identification requirements;
- (2) Require weekly, rather than quarterly, reporting by scrap dealers; and
- (3) Specify that the database and all updates shall be made available to law enforcement agencies on a daily basis.

Your Committees have also amended this measure to make technical, nonsubstantive changes for the purposes of clarity and style.

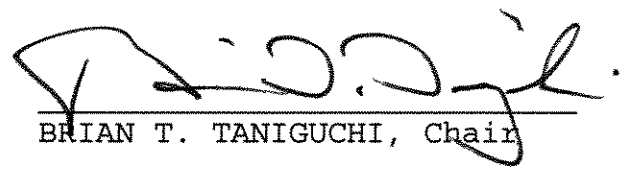
As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Affordable Housing and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1229, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1229, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Commerce,
Consumer Protection, and
Affordable Housing and
Judiciary and Labor,



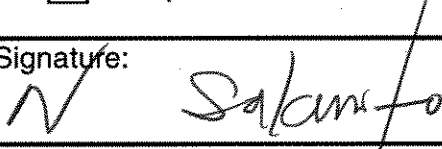
CLAYTON HEE, Chair



BRIAN T. TANIGUCHI, Chair

The Senate
Twenty-Fourth Legislature
State of Hawaii

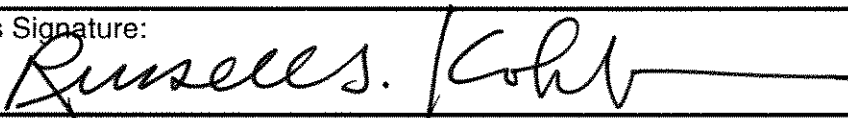
Record of Votes
Committee on Commerce, Consumer Protection and Affordable Housing
CPH

Bill / Resolution No.:* SB 1229	Committee Referral: CPH/JDL, WAM	Date: 2/14/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IGE, David Y. (VC)				✓
ESPERO, Will	✓			
IHARA, Jr., Les				✓
SAKAMOTO, Norman	✓			
SLOM, Sam	✓			
	WDX			
TOTAL	4	-	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em;">  </div>				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes

The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

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<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
INOUE, Lorraine R.				/
NISHIHARA, Clarence K.				/
GABBARD, Mike	/			
TOTAL	3			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

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