

STAND. COM. REP. NO. 995

Honolulu, Hawaii

March 2, 2007

RE: H.B. No. 791
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 791 entitled:

"A BILL FOR AN ACT RELATING TO GASOLINE,"

begs leave to report as follows:

The purpose of this bill is to meet consumer needs for non-ethanol gasoline by requiring refiners to make such gasoline available to their company-operated stations and to marine fueling stations.

For purposes of the public hearing on this bill, your Committee circulated a proposed H.D. 1 and notified the public that your Committee would be accepting testimony on the proposed H.D. 1 only. The proposed H.D. 1 amended the original draft of this measure, as received by your Committee, by:

- (1) Requiring refiners, gasoline retailers, and wholesale bulk distributors to hold, store, import, transfer, and offer for sale or use:
 - (A) Premium gasoline without ethanol; and
 - (B) Mid-grade gasoline with up to six percent ethanol;and
- (2) Inserting a sunset date of January 1, 2013.



Several concerned individuals testified in support of the proposed H.D. 1. A concerned individual supported the intent of the proposed H.D. 1. Western States Petroleum Association, ClearFuels Technology Inc., and a concerned individual opposed the proposed H.D. 1. The Department of Business, Economic Development, and Tourism; Mayor of Hawaii County; Aloha Petroleum; and several concerned individuals submitted comments.

Upon further consideration, your Committee has amended this measure, as received by your Committee, by replacing its contents with provisions that:

- (1) Require gasoline sold in the state to have ethanol content by grade as follows:
 - (A) Premium gasoline to contain no ethanol;
 - (B) Mid-grade gasoline to contain up to ten percent ethanol; and
 - (C) Regular gasoline to contain at least ten percent ethanol;
- and
- (2) Take effect upon approval of this bill, with a sunset date of July 1, 2011.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 791, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 791, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,

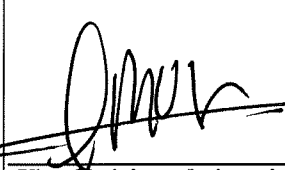


ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 791		Date: February 28, 2007		
Committee Referral: EEP, CPC		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	X			
2. McKELVEY, Angus L.K. (VC)	X			
3. CALDWELL, Kirk	X			
4. EVANS, Cindy				X
5. GREEN, Josh, M.D.	X			
6. ITO, Ken				X
7. LUKE, Sylvia				X
8. MORITA, Hermina M.	X			
9. SONSON, Alex M.	X			
10. SOUKI, Joseph M.	X			
11. TSUJI, Clift	X			
12. YAMANE, Ryan I.	X			
13. YAMASHITA, Kyle T.	X			
14. MARUMOTO, Barbara C.	X			
15. THIELEN, Cynthia				X
TOTAL	11	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
 Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				