

STAND. COM. REP. NO. 1804

Honolulu, Hawaii

A-05, 2007

RE: S.B. No. 1229  
S.D. 2  
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 Judiciary, to which was referred S.B. No. 1229, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this bill is to deter copper theft by requiring scrap dealers to include a thumbprint in the required identification statement of all persons redeeming copper and to maintain a record of transactions in copper.

The Honolulu Police Department testified in support of this bill. The Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Maui Electric Company, and Reynolds Recycling supported the intent of this measure. The Department of the Attorney General supported this bill with amendments. Schnitzer Steel Hawaii Corporation and Okuda Metal, Inc., opposed this measure.

Your Committee has amended this bill by deleting its contents and replacing it with the provisions of H.B. No. 373, S.D. 1, with some technical amendments for clarity, consistency, and style.

SB1229 HD1 HSCR JUD HMS 2007-3691



As amended, this bill adds new requirements for the sale and purchase of copper by scrap dealers, including:

- (1) Requiring sellers of copper to provide a copy of a receipt or notarized statement verifying certain information;
- (2) Prohibiting a scrap dealer from purchasing copper if the seller cannot meet the requirements set forth in paragraph (1);
- (3) Requiring the scrap dealer to take a photograph of the copper being offered for sale;
- (4) Requiring the scrap dealer to either take a photograph of the copper seller or make a photocopy of the seller's valid photo identification card or license; and
- (5) Requiring that the scrap dealer keep certain information regarding their transactions on record that may be examined by law enforcement.

In addition, this measure provides for increased penalties for violations. The bill takes effect on January 1, 2012, but has a repeal date of July 1, 2009; at which time sections 445-233 and 445-235, Hawaii Revised Statutes, will be reenacted in the form in which they read on the day before the effective date.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1229, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1229, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
TOMMY WATERS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

**HSR 1804**

**Record of Votes of the Committee on Judiciary**

<b>Bill/Resolution No.:</b> SB 1229, SD2, (SSCR 1016)		<b>Date:</b> 4/3/07		
<b>Committee Referral:</b> JUD		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
<b>The recommendation is to:</b> <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				
<b>JUD Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. WATERS, Tommy (C)	✓			
2. OSHIRO, Blake K. (VC)	✓			
3. CALDWELL, Kirk	✓			
4. EVANS, Cindy	✓			
5. GREEN, Josh, M.D.	✓			
6. ITO, Ken	✓			
7. LUKE, Sylvia	✓			
8. McKELVEY, Angus L.K.	✓			
9. MORITA, Hermina M.	✓			
10. SONSON, Alex M.	✓			
11. SOUKI, Joseph M.	✓			
12. TSUJI, Clift	✓			
13. YAMANE, Ryan I.	✓			
14. YAMASHITA, Kyle T.	✓			
15. MARUMOTO, Barbara C.	✓			
16. PINE, Kymberly Marcos	✓			
17. THIELEN, Cynthia	✓			
<b>TOTAL</b>	<b>17</b>			
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> 				
<b>Distribution:</b> Original (White) – Committee       Duplicate (Yellow) – HMSO       Duplicate (Pink) – Clerk's Office				