

STAND. COM. REP. NO.

1605

Honolulu, Hawaii

APR 05 2007

RE: H.B. No. 1246
H.D. 1
S.D. 1

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1246, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO METAL,"

begs leave to report as follows:

The purpose of this measure is to establish a felony offense
of theft of copper.

Your Committee held a hearing on this bill along with H.B.
No. 373, S.D.1, on scrap dealers. Your Committee received
testimony in support of these bills from the Honolulu Police
Department, the Honolulu Prosecutor's Office, Hawaiian Electric
Company, Kuliouou/Kalani Iki Neighborhood Board #2, the Attorney
General's Office, and the State Department of Transportation.
Your Committee received testimony in opposition to these bills
from the Public Defender's Office, Okuda Metal, Inc., and Schnitzer
Steel Hawaii Corp.

Your Committee finds that besides making the theft of copper
a felony, there should be regulations on the sale and purchase of
scrap metal by dealers. Scrap dealers transacting the sale of
stolen copper contribute to the commission of the criminal
conduct.

Your Committee amended the bill by:

(1) Incorporating the scrap dealer regulation of H.B.

HB1246 SD1 SSCR JDL .doc



No. 373, S.D.1;

- (2) Retaining the existing seller's agent language to keep their transactions lawful;
- (3) Defining copper more completely; and
- (4) Requiring the reporting of suspicious sales.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1246, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1246, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 1246 HD1	Committee Referral: JDL	Date: 4/2/07		
<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
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
INOUYE, Lorraine R.	/			
NISHIHARA, Clarence K.				
GABBARD, Mike	/			
TOTAL	4			1
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;">Russell S. Koko</div>				
Distribution: <div style="display: flex; justify-content: space-around;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency </div>				

*Only one measure per Record of Votes