

STAND. COM. REP. NO. 1435

Honolulu, Hawaii

March 23, 2007

RE: S.B. No. 1419
S.D. 1
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 Energy & Environmental Protection, to which was referred S.B. No. 1419, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GASOLINE PRICE GOUGING,"

begs leave to report as follows:

The purpose of this measure is to protect gasoline consumers from gasoline dealers who sell or offer to sell gasoline at unconscionably excessive prices during abnormal disruptions in the market.

Specifically, this measure adds a new chapter to the Hawaii Revised Statutes, relating to gasoline price gouging.

Your Committee received testimony from the Department of Commerce and Consumer Affairs in strong support of this measure. The Western States Petroleum Association submitted testimony expressing concerns with this measure.

Your Committee notes that Act 78, Session Laws of Hawaii 2006, codified as chapter 486B, Hawaii Revised Statutes, relating to unfair trade practices by the petroleum industry, made certain practices related to the petroleum industry unlawful trade practices. Your Committee notes that the new provisions relating to gasoline price gouging are more appropriately placed in chapter 486B, Hawaii Revised Statutes.



Accordingly, your Committee has amended this measure by:

- (1) Deleting the contents of section 2 and placing salient components of the measure in chapter 486B, Hawaii Revised Statutes, by amending sections 486B-1 and 486B-3, Hawaii Revised Statutes; and
- (2) Making technical nonsubstantive changes for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1419, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1419, S.D. 1, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Mele Carroll

for:

HERMINA MORITA, Chair



