

STAND. COM. REP. NO.

859

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1332
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawai'i

Madam:

Your Committees on Commerce, Consumer Protection, and Affordable Housing and Judiciary and Labor, to which was referred S.B. No. 1332, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO METAL,"

beg leave to report as follows:

The purpose of this measure is to deter the theft of copper.

Specifically, the measure creates the criminal offense of theft of one pound or more of copper as a class C felony and adds new requirements for the sale of copper and the purchase of copper by scrap dealers.

Your Committees received testimony in support of this measure from State Attorney General, Honolulu Prosecuting Attorney, Honolulu Police Department, Maui Prosecuting Attorney, and Hawaiian Electric Company. Testimony in opposition was received from the Public Defender.

Your Committees find that the price of copper has risen due to the high market demand for construction materials. Your Committees note the recent rise in copper thefts has had a great impact on the general public with the dismantling of street light fixtures, transformers, and rain gutters. Scrap metal dealers are the prime intermediary for copper thieves who sell the contraband to the dealers.



This measure establishes specific disclosure requirements on persons seeking to sell copper and specific reporting requirements on scrap dealers purchasing the copper to assist law enforcement officials in identifying and prosecuting copper thieves. Your Committees believe that criminalizing copper theft and regulating scrap dealers, such as provided in this measure, will serve as effective tools in deterring future copper thefts.

Your Committees have amended this measure by changing the effective date to July 1, 2050, in the interests of continuing the discussion.

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. 1332, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1332, S.D. 2.

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 Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:
<i>SB 1332 S01</i>	<i>J&L, CPA/SDL</i>	<i>2/27/07</i>
<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	<i>4</i>	<i>1</i>
Recommendation:		
<input checked="" type="checkbox"/> Adopted	<input type="checkbox"/> Not Adopted	
Chair's or Designee's Signature:		
<i>Clarence K Nishihara</i>		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency

*Only one measure per Record of Votes