



Office of the Public Defender State of Hawaii



**Timothy Ho, Chief Deputy Public Defender
Testimony of the Office of the Public Defender,
State of Hawaii to the Senate Committee on Judiciary and Labor**

February 22, 2008, 10:00 a.m.

RE: S.B. 2782, SD1: Relating To Metal

Chair Taniguchi and Members of the Committee:

This measure would amend the theft of copper law to include stainless steel beverage containers, which are more commonly known as beer kegs.

The Office of the Public Defender opposes S.B. 2782, SD1.

The problem of beer keg thefts does not come close to the problems created by the theft of copper. Last year, this Legislature came down hard on copper thieves with the passage of Act 197, which created the felony offense of theft copper. And while beer keg thefts are costly to the beverage industry, it does not raise the same public safety concerns nor does it result in the type of monetary damages as copper thefts.

A single act of removing copper wire from streetlights, or parks causes miles of freeways to go dark, and parks to shut down. The cost of repairing the damage caused by a single one of these acts may run into the hundreds of thousands of dollars. The same cannot be said about the theft of beer kegs.

The damage caused by the theft of beer kegs are much more similar to the damages caused by the theft of shopping carts. It is costly, and a nuisance to both industries, but it does not have the same impact on public safety as the problems caused by copper thefts.

Thank you for the opportunity to comment on this bill.



THE LEGISLATIVE CENTER

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February 22, 2008

Testimony To: Senate Committee on Judiciary and Labor
Senator Brian T. Taniguchi, Chair

Presented By: Tim Lyons, Legislative Liaison
Anheuser Busch Companies

Subject: S.B. 2782, SD 1 – RELATING TO METAL.

Chair Taniguchi and Members of the Committee:

I am Tim Lyons, Legislative Liaison for Anheuser Busch Companies and we support this bill.

This bill would include theft of stainless steel beverage containers (beer kegs) in the recently passed metal theft bill which is limited only to copper.

This is a huge problem. In fact, a problem that represents about a \$15,000,000 a year loss to the industry with over 300,000 stainless steel containers a year lost. Our local wholesaler here has gone from losing approximately 30 in 2006 to over 350 in 2007. In other words, it has just escalated beyond any reasonable proportion.

We are asking this Committee to assist because stainless steel beer kegs are one of the things that are positive for our environment. They are 100% recyclable. In fact, in the manufacturing process,

only 35% of the material represents new material; all the rest is recycled material. Additionally, most metal kegs last at least twenty (20) years.

We have been working with retailers and others to have them place the containers in more secure positions as they rotate them between empty and full however, with the very tight space that many restaurants and facilities have, sometimes this is impossible.

Based on the above, we highly recommend passage and we respectfully request your assistance in this problem. We know that the passage of this bill will help to act as a deterrent and bring the numbers back down to a manageable area.

Based on the above, we request your support.

Thank you.

testimony

From: Robert A. Okuda [robokuda002@hawaiiantel.net]
Sent: Thursday, February 21, 2008 5:39 PM
To: testimony
Subject: SB 2783, SD1 Testimony

To: Senate Committee on Judiciary and Labor For Friday, Feb 22, 2008 hearing
Testimony in Support of SB2782, SD1

We support this bill to help deter theft of stainless steel beverage containers.

Sincerely,

Robert A. Okuda
Okuda Metal, Inc