

STAND. COM. REP. NO. **477**

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 848

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 848 entitled:

"A BILL FOR AN ACT RELATING TO METAL,"

begs leave to report as follows:

The purpose of this measure is to make permanent provisions of the law pertaining to copper theft and the purchase of copper by scrap dealers, as contained in Act 197, Session Laws of Hawaii 2007.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, and one organization. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that copper thefts have had a great impact on the residents of Hawaii. Copper thieves have dismantled street lights, caused power outages, and caused the closure of parks and other facilities. One attempted theft resulted in the death of an individual.

Act 197 took a two-pronged approach to the problem by:

- (1) Establishing theft of copper as a felony offense; and
- (2) Imposing additional requirements on scrap dealers and those that sell copper to scrap dealers to deter the sale of stolen copper. A two-year sunset date, of July



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1, 2009, was placed on the Act 197 amendments to allow for an assessment of the Act's effectiveness.

Your Committee finds that during the two-year period in which the copper theft provisions have been in effect, Act 197 has had a positive impact and has greatly facilitated the investigation and prosecution of copper theft offenses. Therefore, your Committee believes that Act 197 should be made permanent.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 848 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 848	JGO	2/6/09		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	6	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes