

STAND. COM. REP. NO. **3159**

Honolulu, Hawaii

APR - 1 2014

RE: H.B. No. 1938
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Agriculture and Commerce and Consumer Protection, to which was referred H.B. No. 1938 entitled:

"A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify that the current standards published by the American Society for Testing and Materials (ASTM) and the Society of Automotive Engineers are adopted for use by the Measurement and Standards Branch of the Department of Agriculture, except as may be amended by rules of the Board of Agriculture.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Agriculture; Chevron Products Company; MidPac Petroleum; and Aloha Petroleum, Ltd.

Your Committees find that this housekeeping measure is necessary because the Department of Agriculture's fuel specification rules have not been updated to reflect current and accurate ASTM standards regarding ethanol blending and are not consistent with federal law and other state laws and administrative rules.

The Department of Agriculture expressed concern that this measure addresses standards that are properly addressed in administrative rules, rather than by statute. Your Committees assured the Department that this measure does not preclude the



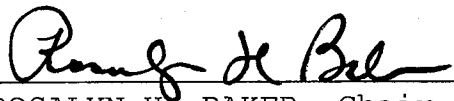
Department of Agriculture from updating its administrative rules relating to measurement standards as it deems necessary.

Your Committees have amended this measure by:

- (1) Removing language clarifying that the current standards published by the ASTM and the Society of Automotive Engineers are adopted;
- (2) Inserting language to clarify that the rules adopted by the Board of Agriculture referring to ASTM D4814, relating to standard specification for automotive spark-ignition engine fuel, shall be deemed to refer to version ASTM D4814-13b adopted in 2013, as modified by the National Institute of Standards and Technology Handbook 130, part IV, subpart G, section 2.1 adopted in 2013; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1938, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1938, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Commerce and Consumer
Protection,


ROSALYN H. BAKER, Chair


CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture
AGL

Bill / Resolution No.:*	Committee Referral:	Date:
HB1938	AGL/CPN	3/27/14

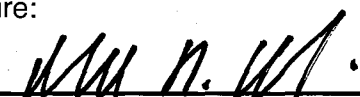
The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
DELA CRUZ, Donovan M.				/
ENGLISH, J. Kalani				/
THIELEN, Laura H.	✓			
WAKAI, Glenn				/
SLOM, Sam	✓			
TOTAL	4			3

Recommendation: Adopted Not Adopted

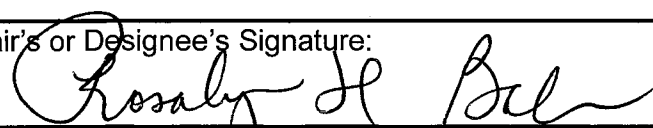
Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1938	AGL/CPN	3-27-2014		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)				✓
NISHIHARA, Clarence K.	✓			
WAKAI, Glenn				✓
SLOM, Sam	✓			
TOTAL	3	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
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