

STAND. COM. REP. NO.

1547

Honolulu, Hawaii

April 5, 2013

RE: S.B. No. 470  
S.D. 1  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 470, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CREDIT CARDS,"

begs leave to report as follows:

The purpose of this measure is to prohibit retailers from passing certain credit card surcharges on to customers.

The Hawaii Bankers Association testified in support of this measure. Lockridge, Grindal, and Nauen, P.L.L.P. testified in opposition to this measure. Retail Merchants of Hawaii and the Hawaii Food Industry Association provided comments on this measure.

Your Committee finds that the testimony received on this measure was notably conflicting in terms of whether the proposed surcharge prohibition is needed and what its actual impact on consumers and businesses would be. However, since it raises important consumer and other issues, your Committee has amended this measure by changing its effective date to January 1, 2112, to encourage further discussion.

SB470 HD2 HSCR CPC HMS 2013-3146



As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 470, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 470, S.D. 1, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ANGUS L.K. MCKELVEY, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <i>SB470 SD1 HD1</i>	Committee Referral: <i>EDB, CPC</i>	Date: <i>4/1/13</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)				/
2. KAWAKAMI, Derek S.K. (VC)	/			/
3. BELATTI, Della Au	/			/
4. BROWER, Tom	/			
5. CABANILLA, Rida T.R.				/
6. CACHOLA, Romy M.	/			
7. CARROLL, Mele				/
8. EVANS, Cindy	/			
9. HAR, Sharon E.				/
10. ITO, Ken				/
11. LEE, Chris	/			
12. TSUJI, Clift	/			
13. YAMANE, Ryan I.	/			
14. MCDERMOTT, Bob				/
15. THIELEN, Cynthia		/		
<b>TOTAL (15)</b>	<b>8</b>	<b>1</b>		<b>6</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				