STAND. COM. REP. NO. 1435

Honolulu, Hawaii

Manh 23 , 2007

RE: S.B. No. 1419

S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred S.B. No. 1419, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GASOLINE PRICE GOUGING,"

begs leave to report as follows:

The purpose of this measure is to protect gasoline consumers from gasoline dealers who sell or offer to sell gasoline at unconscionably excessive prices during abnormal disruptions in the market.

Specifically, this measure adds a new chapter to the Hawaii Revised Statutes, relating to gasoline price gouging.

Your Committee received testimony from the Department of Commerce and Consumer Affairs in strong support of this measure. The Western States Petroleum Association submitted testimony expressing concerns with this measure.

Your Committee notes that Act 78, Session Laws of Hawaii 2006, codified as chapter 486B, Hawaii Revised Statutes, relating to unfair trade practices by the petroleum industry, made certain practices related to the petroleum industry unlawful trade practices. Your Committee notes that the new provisions relating to gasoline price gouging are more appropriately placed in chapter 486B, Hawaii Revised Statutes.

SB1419 HD1 HSCR LRB 07-3617.doc

Accordingly, your Committee has amended this measure by:

- (1) Deleting the contents of section 2 and placing salient components of the measure in chapter 486B, Hawaii Revised Statutes, by amending sections 486B-1 and 486B-3, Hawaii Revised Statutes; and
- (2) Making technical nonsubstantive changes for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1419, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1419, S.D. 1, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on behalf of the members of the Committee on Energy & Environmental Protection,

HERMINA MORITA, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 1419 SD1	Date:	3/22/07		
Committee Referral: EEP, CPC/JUD	The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	Pass, with amendments			
☐ Hold	Pass, with amendments, for recommittal for further consideration			
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	√			
2. CARROLL, Mele (VC)	—			
3. CHONG, Pono	/			
4. ITO, Ken	√			
5. MAGAOAY, Michael Y.	-			<u> </u>
6. SAGUM, Roland D., III	<u> </u>			
7. SAIKI, Scott K.	√			
8. THIELEN, Cynthia				✓
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TOTAL	1			
The recommendation is:				
☐ Not Adopted				
If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
Mele Canoll				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				