

Honolulu, Hawaii

FEB 13 2009

RE: S.B. No. 1338
S.D. 1

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

Madam:

Your Committee on Energy and Environment, to which was referred S.B. No. 1338 entitled:

"A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND,"

begs leave to report as follows:

The purpose of this measure is to prohibit real estate contracts, agreements, and rules from precluding or rendering ineffective the use of clotheslines on the premises of single-family dwellings.

Testimony in support of this measure was submitted by two private organizations. Testimony in support of this measure, with comments, was submitted by two private organizations. One private organization submitted testimony supporting the intent of this measure. Testimony in opposition to this measure was submitted by two private organizations and two individuals. Comments were submitted by one private organization.

Your Committee finds that this measure is a fair and balanced means to allow local residents to save money and save energy by using a clothesline to dry their clothes. Further, this measure does not prevent all homeowner association rules on clothesline usage, only those that are unreasonable.

In response to the recommendation expressed by the Sierra Club, your Committee has amended this measure by clarifying that homeowner association rules cannot limit access to air or sunlight reasonably necessary for the use of clotheslines.



As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1338, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1338, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,



MIKE GABBARD, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1338</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">ENE, CPN</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2-3-09</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
ENGLISH, J. Kalani (VC)				✓
GREEN, M.D., Josh	✓			
HOOSER, Gary L.				✓
IHARA, Jr., Les	✓			
KOKUBUN, Russell S.				✓
HEMMINGS, Fred	✓			
TOTAL	4	0	0	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes