STAND. COM. REP. NO. 953

Honolulu, Hawaii

MAR 2 5 2009

RE: H.B. No. 1273

H.D. 1 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 H.B. No. 1273, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENERGY,"

begs leave to report as follows:

The purpose of this measure is to allow the use of clotheslines on any privately owned single-family residential dwelling or townhouse.

Testimony in support of this measure was submitted by one private organization. Testimony in support of this measure, with suggested amendments, was submitted by two private organizations. Testimony in support of the intent of the measure was submitted by one private organization. Testimony in opposition to this measure was submitted by one private organization and one individual. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will allow members of planned communities and townhouses to use clotheslines for drying clothes, while at the same time allowing the associations of planned communities and townhouses the ability to provide reasonable restrictions on such use. However, under this measure, as currently drafted, residents could be denied the ordinary use of clotheslines by limiting access to air or sunlight, such as requiring homeowners to hang clotheslines in carports, for example.

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Your Committee has amended this measure by:

- (1) Adding language that prohibits association restrictions that deny access to air or sunlight reasonably necessary for the effective use of clotheslines, consistent with a similar Senate Bill, S.B. No. 1338, S.D. 1;
- (2) Adding language to address use of clotheslines in areas owned by or reserved for the exclusive use of a homeowner; and
- (3) Making nonsubstantive, stylistic changes for consistency.

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 H.B. No. 1273, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1273, H.D. 1, 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.:*	Committee	Referral:	Da	te:	
HB 1273 HD1	ENE, C	PN		3 -17	-9
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
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			
TOTAL	·	4	<u></u> <i>b</i>	ð	3
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Golfe					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes