Honolulu, Hawaii

Fe418, 2009

RE: H.B. No. 1417 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1417 entitled:

"A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS,"

begs leave to report as follows:

The purpose of this bill is to close a loophole in the outdoor advertising ban that permits the placement of advertising on vehicles or trailers for others, as long as the vehicles or trailers are not used primarily for advertising.

Na Leo Pohai submitted testimony supporting this bill. The Attorney General (AG) commented on this measure.

Your Committee has amended this bill by amending the purpose section to more accurately reflect the intent of this measure.

Your Committee appreciates the concerns raised by the AG concerning potential inconsistencies with the First Amendment and Equal Protection Clause of the United States Constitution. However your Committee considers the Committee on Judiciary to be the more appropriate committee to address these issues and therefore, respectfully requests that the Committee on Judiciary consider these issues when this bill comes before it.

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

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purpose of H.B. No. 1417, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1417, H.D. 1, and be referred to the Committee on Judiciary.

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

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HERMINA MORITA, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature

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Record of Votes of the Committee on Energy & Environmental Protection

HB 1417					2-10-09		
☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)							
EEP Members		Ayes	Ayes (WR	R) 1	Nays	Excused	
1. MORITA, Hermina M. (C)							
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2. COFFMAN, Denny (VC)		V					
3. CABANILLA, Rida		V					
4. CHANG, Jerry L.							
5. CHONG, Pono						<u>~</u>	
6. HAR, Sharon E.		V					
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7. HERKES, Robert N.							
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8. ITO, Ken	Sec. 18 18 18 18 18 18 18 18 18 18 18 18 18						
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9. LEE, Chris				102 P		100000000000000000000000000000000000000	
10. LUKE, Sylvia		./					
To. ECKE, Syrvia			(Flaterial)				
11. SAGUM, Roland D., III							
12. CHING, Corinne W.L.							
13. THIELEN, Cynthia		V					
TOTAL (13)		11	0		0	2_	
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							