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Honolulu, Hawaii

FEB - 9 2010

RE: S.B. No. 2356
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred S.B. No. 2356 entitled:

"A BILL FOR AN ACT RELATING TO LEAF BLOWERS,"

begs leave to report as follows:

The purpose of this measure is to restrict the use of leaf blowers to reduce noise and air pollution in the State. Specifically, this measure prohibits:

- (1) The use of gas-powered leaf blowers at any time;
- (2) The use of leaf blowers in or near residential zones, except within specified time periods; and
- (3) Leaf blowing operations from blowing debris onto adjacent property without permission.

Testimony in support of the measure was submitted by one organization and nine individuals. Six individuals support the intent of the measure. One county agency and two individuals submitted comments, and testimony in opposition was submitted by one state agency. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Many residents in high density areas complain about the noise, smell, and dust created by leaf blowers. The noise of leaf blowers interfere with neighbors' ability to watch television, sleep, and talk on the phone. Additionally, some leaf blower



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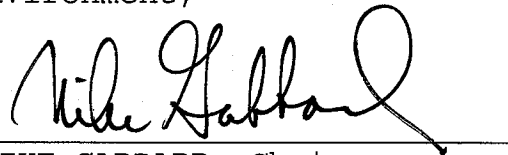
users are inconsiderate and blow dust and debris into public rights-of-way and into neighbors' open windows. Your Committee finds that numerous studies have shown that home gardeners can clean the same amount of space with more speed and accuracy using a rake and broom than using any kind of leaf blower. However, your Committee recognizes the concerns raised by the City and County of Honolulu Department of Parks and Recreation when cleaning large parcels of land. This measure strikes a balance between the need to use leaf blowers in a considerate way and the neighbors whose daily lives are affected by the use of those leaf blowers.

Your Committee has amended this measure by:

- (1) Exempting government entities from the leaf blower restrictions;
- (2) Prohibiting the use of leaf blowers on designated state holidays;
- (3) Amending the purpose section to conform to the changes; and
- (4) Making technical, nonsubstantive changes for the purposes of style and clarity.

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. 2356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2356, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

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 2356</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">ENE, JGO</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/4/10</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	3	0	1	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">JLM</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes