

Honolulu, Hawaii

, 2010

APR 22 2010

RE: S.B. No. 466  
S.D. 2  
H.D. 1  
C.D. 1

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

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 466, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POLLUTION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Prohibit the use of leaf blowers on or near residential zones, except within allowed time periods; and
- (2) Prohibit leaf blowing operations from blowing debris onto adjacent property without permission.

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 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. 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:

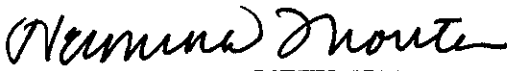
- (1) Changing the time period for leaf blowing operations within a residential zone or within 100 feet of a residential zone from between the hours of 7:00 a.m. and 7:00 p.m. to 8:00 a.m. and 6:00 p.m.;
- (2) Including state holidays as days when leaf blowing operations are restricted to between the hours of 9:00 a.m. and 6:00 p.m., and defining "state holiday";
- (3) Exempting government entities from the prohibition of the use of leaf blowers on or near residential zones;
- (4) Clarifying that counties may adopt rules or ordinances that place stricter limitations on the use of leaf blowers;
- (5) Adding definitions for "leaf blower" and "parcel" to the prohibition on blowing debris onto adjacent property;
- (6) Changing the effective date to July 1, 2010; and
- (7) Making technical, nonsubstantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 466, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 466, S.D. 2, H.D. 1, C.D. 1.



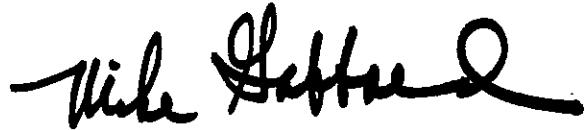
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

  
HERMINA MORITA, Co-Chair

  
ION RIKI KARAMATSU, Co-Chair

ON THE PART OF THE SENATE

  
MIKE GABBARD, Chair

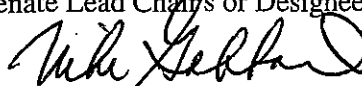
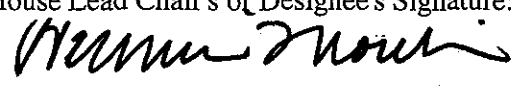
  
BRIAN T. TANIGUCHI, Co-Chair



## Hawaii State Legislature

Record of Votes of a  
Conference Committee

90-10

|   |   |                            |   |   |   |   |             |   |   |
|---|---|----------------------------|---|---|---|---|-------------|---|---|
| Bill / Concurrent Resolution No.:<br><b>SB 466, SD 2, HD 1</b>  |   |                            |   |   | Date/Time: <b>April 22, 2010 5:42pm</b>   |   |             |   |   |
| <input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).            |   |                            |   |   |   |   |             |   |   |
| <input type="checkbox"/> The Committee is reconsidering its previous decision.  |   |                            |   |   |   |   |             |   |   |
| <input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure |   |                            |   |   | <input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure. |   |             |   |   |
| Senate Managers   | A | WR                         | N | E | House Managers  | A | WR          | N | E |
| GABBARD, Mike, Chr.   | ✓ |                            |   |   | MORITA, Hermina M., Co-Chr.   | ✓ |             |   |   |
| TANIGUCHI, Brian T., Co-Chr.  | ✓ |                            |   |   | KARAMATSU, Jon Riki, Co-Chr.  | ✓ |             |   |   |
| HEMMINGS, Fred  |   |                            |   | ✓ | NISHIMOTO, Scott Y.   | ✓ |             |   |   |
|   |   |                            |   |   | THIELEN, Cynthia  | ✓ |             |   |   |
|   |   |                            |   |   |   |   |             |   |   |
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| TOTAL   | 2 | -                          | - | 1 | TOTAL   | 4 | -           | - | - |
| A = Aye   |   | WR = Aye with Reservations |   |   | N = Nay   |   | E = Excused |   |   |
| Senate Recommendation is:   |   |                            |   |   | House Recommendation is:  |   |             |   |   |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted  |   |                            |   |   | <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted  |   |             |   |   |
| Senate Lead Chair's or Designee's Signature:  |   |                            |   |   | House Lead Chair's or Designee's Signature:   |   |             |   |   |
|    |   |                            |   |   |   |   |             |   |   |
| Distribution:   |   |                            |   |   | Distribution:   |   |             |   |   |
| Original  |   |                            |   |   | Yellow  |   |             |   |   |
| File with Conference Committee Report   |   |                            |   |   | House Clerk's Office  |   |             |   |   |
|   |   |                            |   |   | Pink  |   |             |   |   |
|   |   |                            |   |   | Senate Clerk's Office   |   |             |   |   |
|   |   |                            |   |   | Goldenrod   |   |             |   |   |
|   |   |                            |   |   | Drafting Agency   |   |             |   |   |