

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 466
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. 466 entitled:

"A BILL FOR AN ACT RELATING TO POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to prohibit the use of leaf blowers with exhaust emissions greater than ten grams/kilowatt-hours during certain hours and days.

This measure also restricts the use of leaf blowers for certain durations of time and near operable doors, windows, and air ducts.

Testimony in support of the measure was submitted by nine individuals. Testimony in support of the measure, with proposed amendments, was submitted by three individuals. Testimony in opposition to the measure was submitted by one state department. Comments were submitted by one state department. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that use of leaf blowers poses health and noise pollution concerns for Hawaii citizens, particularly in urban areas where leaf blowers can be especially problematic. Your Committee finds that this measure addresses some of these concerns by placing certain restrictions on the use of leaf blowers.



Your Committee has amended this measure by:

- (1) Deleting the restriction on leaf blowers with exhaust emissions above a certain level, in response to concerns expressed by the Department of the Attorney General that such a restriction could conflict with federal law;
- (2) Clarifying the manner in which leaf blowers may be used, including restrictions on the permitted duration and location of their use; and
- (3) Making technical, nonsubstantive stylistic changes.

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. 466, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 466, 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,

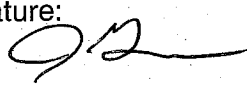


MIKE GABBARD, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* <i>SB 466</i>	Committee Referral: <i>ENE, J60</i>	Date: <i>2-17-9</i>		
<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;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><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	1	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center;"></div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> <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