

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 466
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 466, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to make it unlawful for any person to operate a leaf blower within a residential zone or within one hundred feet of a residential zone in the State, except between the hours of 8:00 A.M. and 8:00 P.M. on any day except Sunday or a federal holiday, and between the hours of 9:00 A.M. and 6:00 P.M. on Sunday or a federal holiday, under certain specified conditions of operation.

This measure also prohibits:

- (1) Any person to use or operate a leaf blower in such a manner as to blow, dispel, or make airborne, dust, leaves, grass cuttings, paper, trash, or any other type of unattached debris or material, beyond the boundaries of the parcel of property being cleaned, unless the consent of the adjoining owner or person in possession of the adjoining property is obtained; and
- (2) Any person to use or operate a leaf blower within the State in such a way as to blow leaves, dirt, and other debris onto the public rights-of-way or onto private property not owned, leased, or controlled by the leaf blower operator or the employer or contractor of the



leaf blower operator and to allow the debris to remain there in excess of thirty minutes.

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

Your Committee has amended this measure by changing the effective date to July 1, 2050 to continue the discussions, and making technical, nonsubstantive amendments.

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

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 466, SD1</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;">2/26/09</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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam	✓			
TOTAL	4	0	0	2
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; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <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**