

Honolulu, Hawaii

MAR 25 2009

RE: H.B. No. 1273
H.D. 1
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 H.B. No. 1273, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENERGY,"

begs leave to report as follows:

The purpose of this measure is to allow the use of clotheslines on any privately owned single-family residential dwelling or townhouse.

Testimony in support of this measure was submitted by one private organization. Testimony in support of this measure, with suggested amendments, was submitted by two private organizations. Testimony in support of the intent of the measure was submitted by one private organization. Testimony in opposition to this measure was submitted by one private organization and one individual. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will allow members of planned communities and townhouses to use clotheslines for drying clothes, while at the same time allowing the associations of planned communities and townhouses the ability to provide reasonable restrictions on such use. However, under this measure, as currently drafted, residents could be denied the ordinary use of clotheslines by limiting access to air or sunlight, such as requiring homeowners to hang clotheslines in carports, for example.

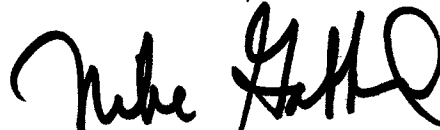


Your Committee has amended this measure by:

- (1) Adding language that prohibits association restrictions that deny access to air or sunlight reasonably necessary for the effective use of clotheslines, consistent with a similar Senate Bill, S.B. No. 1338, S.D. 1;
- (2) Adding language to address use of clotheslines in areas owned by or reserved for the exclusive use of a homeowner; and
- (3) Making nonsubstantive, stylistic changes for consistency.

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 H.B. No. 1273, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1273, H.D. 1, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,



MIKE GABBARD, Chair



