

STAND. COM. REP. NO.

301

Honolulu, Hawaii

Fc 4/18, 2009

RE: H.B. No. 1417

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1417 entitled:

"A BILL FOR AN ACT RELATING TO MOBILE BILLBOARDS,"

begs leave to report as follows:

The purpose of this bill is to close a loophole in the outdoor advertising ban that permits the placement of advertising on vehicles or trailers for others, as long as the vehicles or trailers are not used primarily for advertising.

Na Leo Pohai submitted testimony supporting this bill. The Attorney General (AG) commented on this measure.

Your Committee has amended this bill by amending the purpose section to more accurately reflect the intent of this measure.

Your Committee appreciates the concerns raised by the AG concerning potential inconsistencies with the First Amendment and Equal Protection Clause of the United States Constitution. However your Committee considers the Committee on Judiciary to be the more appropriate committee to address these issues and therefore, respectfully requests that the Committee on Judiciary consider these issues when this bill comes before it.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and

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purpose of H.B. No. 1417, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1417, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Hermina Morita

HERMINA MORITA, Chair



