

Honolulu, Hawaii

April 24, 2008

RE: H.B. No. 1832
H.D. 1
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1832, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING,"

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 bill is to balance the need to preserve the scenic beauty of our islands with the freedom of expression by placing reasonable restrictions on signs on certain types of property. Specifically, this bill requires signs, billboards, and other outdoor advertising devices on residential properties to:

- (1) Be under four feet by two feet, up to a cumulative area of sixteen square feet;
- (2) Be under eight feet by four feet, up to a cumulative area of sixty-four square feet in common areas of multi-unit residential structures, provided that the rules of the



association of apartment owners permits the displaying of signs; and

- (3) Not be displayed in return for any payment, fee, or valuable consideration, provided that the benefit derived from the effect of the advertising is not considered valuable consideration.

Your Committee on Conference has amended this bill by:

- (1) Deleting the preamble language;
- (2) Clarifying that the limitations in this bill apply to all signs and outdoor advertising devices, not just signs, billboards, and outdoor advertising devices subject to section 445-112, Hawaii Revised Statutes (HRS);
- (3) Clarifying the "residential property units" to which this bill apply, by referring to dwelling units as defined in Section 521-8, HRS;
- (4) Replacing limitations specific to multi-unit residential structures with general language providing that this bill does not permit signs or outdoor advertising devices otherwise prohibited in the house rules or bylaws of an apartment building or condominium, or lawful provision in a contract;
- (5) Clarifying that the new statutory section in this bill does not prohibit the display of outdoor advertising devices indicating that the building or premises on which it is displayed is the residence of any individual as allowed by Section 445-112(3), HRS;
- (6) Changing the effective date to January 1, 2009; and
- (7) Making technical, nonsubstantive amendments for style, clarity, and consistency.

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 H.B. No. 1832, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1832, H.D. 1, S.D. 1, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE


BRIAN T. TANIGUCHI, Chair


KEN ITO, Co-Chair


BLAKE K. OSHIRO, Co-Chair



Hawaii State Legislature

CCR 75-08

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: HB 1832, HD 1, SD 1	Date/Time: April 24, 2008 3:11 pm
--	---

The recommendation of the House and Senate managers is to pass with amendments (CD).

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
TANIGUCHI, Brian T., Chr.	✓				ITO, Ken, Co-Chr.	✓			
NISHIHARA, Clarence K.	✓				OSHIRO, Blake K., Co-Chr.	✓			
SLOM, Sam	✓				LUKE, Sylvia	✓			
					THIELEN, Cynthia	✓			
TOTAL	3				TOTAL	4			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <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: **Original** **Yellow** **Pink** **Goldenrod**
 File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency