



SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism (DBEDT)
No. 1 Capitol District Bldg., 250 South Hotel St. 5th Fl., Honolulu, Hawaii 96813
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Tel 808 586-2594

AGENDA

Wednesday, March 21, 2018 ★ 10:00 a.m.

No. 1 Capitol District Building

250 South Hotel Street - Conference Room 436

David Y. Ige
Governor

Luis P. Salaveria
DBEDT Director

Members

Anthony Borge
Chairperson
Oahu

Robert Cundiff
Vice Chairperson
Oahu

Garth Yamanaka
2nd Vice Chairperson
Hawaii

Harris Nakamoto
Oahu

Nancy Atmospera-Walch
Oahu

Kyoko Kimura
Maui

Reg Baker
Oahu

Director, DBEDT
Voting Ex Officio

I. Call to Order

II. Approval of January 24, 2018 Meeting Minutes

III. Old Business

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to Hawaii Administrative Rules (HAR) Title 15 Chapter 37, **Solar Water Heater Variance**, promulgated by Department of Business, Economic Development and Tourism (DBEDT) – *attached and incorporated as Exhibit 1*
- B. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 12 Chapter 22, **Wage Determinations and the Administration and Enforcement of Chapter 104, Hawaii Revised Statutes**, promulgated by Department of Labor and Industrial Relations (DLIR) - *attached and incorporated as Exhibit 2*
- C. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 12, Chapter 44.1, **Testing, Certifying, and Credentialing Individuals Who Perform Maintenance and Testing of Portable Fire Extinguishers, Fire Protection Systems, and Fire Alarm Systems**, promulgated by Hawaii State Fire Council / DLIR – *attached and incorporated as Exhibit 3*
- D. Discussion and Action on the Small Business Statement After Public Hearing on HAR Title 18, Chapter 237, **General Excise Tax Law**, as follows, promulgated by Department of Taxation – *attached and incorporated as Exhibit 4*:
 1. Amendments to Section 8.6, **County Surcharge**
 2. Proposed New Section 29.53, **Exported Services**

IV. New Business

- A. Discussion and Action on Proposed Amendments to HAR Title 13 Chapter 104, **Rules Regulating Activities Within Forest Reserves**, promulgated by Department of Land and Natural Resources – *attached and incorporated as Exhibit 5*
- B. Discussion and Action on Proposed New HAR Title 4, Chapter 162, **Food Safety Certification Costs Grant Program**, promulgated by Department of Agriculture – *attached and incorporated as Exhibit 6*
- C. Discussion and Action on Proposed Repeal of HAR Title 11, Chapter 200, and Proposed New Chapter 200.1, **Environmental Impact Statement Rules**, promulgated by Department of Health – *attached and incorporated as Exhibit 7*

- D. Discussion and Action on Proposed Amendments to HAR Title 15 Chapter 15, **Land Use Commission Rules**, promulgated by DBEDT / Land Use Commission – *attached and incorporated as Exhibit 8*

V. Legislative Matters

- A. Update on House Bill 2235, Senate Bill 2753 and Senate Bill 2885, “Relating to the Small Business Regulatory Review Board” – Clarifies the Intent of the Small Business Regulatory Review Board’s Powers when Reviewing State and County Administrative Rules that Impact Small Business
- B. Discussion and Action on Proposed Governor’s Message to the State Legislature Submitting for Consideration of the Gubernatorial Nomination of Mary Albitz to the Small Business Regulatory Review Board for a term to expire June 30, 2021
- C. Discussion and Action on Proposed Governor’s Message to the State Legislature Submitting for Consideration of the Gubernatorial Nomination of Will Lydgate to the Small Business Regulatory Review Board for a term to expire June 30, 2021
- D. Update on Governor’s Messages 513 and 514, Submitting for Consideration the Gubernatorial Nomination of Reg Baker to the Small Business Regulatory Review Board for a term to expire June 30, 2018 and June 30, 2022, respectively
- E. Discussion and Action on Senate Bill 2059 “Relating to Public Accountancy” Specifies who may be granted a temporary permit to practice public accountancy. Specifies the requirements that must be met prior to obtaining a temporary permit to practice. Requires a person to obtain a temporary permit to practice from the board of public accountancy prior to commencing public accountancy services in Hawaii. Specifies a time frame for the temporary permit to practice. Requires persons granted a temporary permit to practice to consent to and certify various obligations, including being under the authority of the board of public accountancy and paying all applicable taxes to the State. Makes conforming amendments to the laws relating to public accountancy; takes effect on 1/1/2019

VI. Administrative Matters

- A. Discussion and Action on the Board’s Investigative Taskforce’s Recommendation for the proceeding with Redesign of the existing Website
- B. Discussion on Governor’s Administrative Directive No. 18-02, dated January 1, 2018, updating the policy and procedure by which departments or agencies request executive approval of any proposed adoption, amendment, or repeal of administrative rules
- C. Discussion and Action on the Board’s Proposed Letter to Governor Ige regarding the current Pilot Project that allows Uber and Lyft Drivers to Operate at the Honolulu International Airport

D. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, Hawaii Revised Statutes:

1. Discussion and Action on Hawaii Small Business Conference held at Maui Arts & Cultural Center on May 2 – 3, 2018

VII. Next Meeting: Scheduled for Wednesday, April 18, 2018, at 10:00 a.m., Capitol District Building, Conference Room 436, Honolulu, Hawaii

VIII. Adjournment

If you require special assistance or auxiliary aid and/or services to participate in the public hearing process (i.e., sign language, interpreter, wheelchair accessibility, or parking designated for the disabled), please call (808) 586-2399 at least three (3) business days prior to the meeting so arrangements can be made.