

Honolulu, Hawaii

Apr: 125, 2008

RE: H.B. No. 2781
H.D. 2
S.D. 2
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. 2781, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SMALL BUSINESS,"

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 reduce the burden that State regulation places on small businesses by:

- (1) Setting forth the rights of small businesses as they interact with and are regulated by state agencies;
- (2) Specifically authorizing the Ombudsman in chapter 96, Hawaii Revised Statutes, to investigate complaints of violations of the foregoing rights; and



- (3) Requiring the Small Business Regulatory Review Board to convene a working group to review whether the procedures related to rulemaking under Hawaii's Small Business Regulatory Flexibility Act adequately address the concerns of small business.

Your Committee on Conference has amended this bill by:

- (1) Removing the provisions specifically authorizing the Ombudsman to investigate complaints of violations of the Small Business Bill of Rights;
- (2) Requiring agencies, under the Small Business Regulatory Flexibility Act, to perform and include in their small business impact statement for proposed rules, a more rigorous examination and justification of rules that impose standards more stringent than those mandated by any comparable or related federal, state, or county laws;
- (3) Changing the effective date to July 1, 2008; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 2781, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2781, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE


CAROL FUKUNAGA, Chair


KYLE T. YAMASHITA, Co-Chair


BRIAN T. TANIGUCHI, Co-Chair


TOMMY WATERS, Co-Chair





SHAN S. TSUTSUI, Co-Chair



JAMES KUNANE TOKIOKA, Co-Chair



Hawaii State Legislature

CR 134-08

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: HB 2781, HD 2, SD 2	Date/Time: 4-25-2008 4:42 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

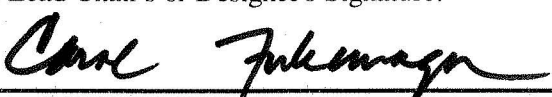
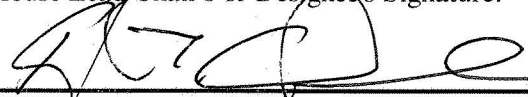
The Committee is reconsidering its previous decision.

<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.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
FUKUNAGA, Carol, Chr.	/				YAMASHITA, Kyle T., Co-Chr.	/			
TANIGUCHI, Brian T., Co-Chr.	/				WATERS, Tommy, Co-Chr.	/			
TSUTSUI, Shan S., Co-Chr.	/				TOKIOKA, James Kunane, Co-Chr.	/			
SLOM, Sam				/	WAKAI, Glenn	/			
					CHING, Corinne W.L.				/
TOTAL	3			1	TOTAL	4			1

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
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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