

**HAWAII SMALL BUSINESS  
REGULATORY REVIEW  
BOARD  
ANNUAL REPORT**

**Findings to the  
Hawaii State Legislature  
in Accordance with Chapter 201M,  
Hawaii Revised Statutes**

- I. Annual Summary and Review of Administrative Rules requested by Small Business**
- II. Legislative Report**

**December 2002 – December 2003**

# HAWAII SMALL BUSINESS REGULATORY REVIEW BOARD ANNUAL REPORT

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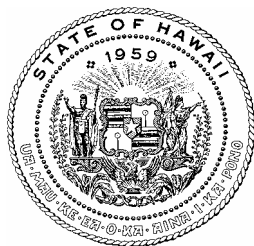
## MESSAGE FROM THE DIRECTOR



On behalf of the Department of Business, Economic Development & Tourism, I would like to thank and commend the members of the Small Business Regulatory Review Board for their continued effort and dedication to improving relationships with Hawaii's State and County departments. I am especially impressed with the dedication and hard work invested by this Board of volunteer small business owners. Their presentation at the Governor's Cabinet meeting in May 2003 raised consciousness and awareness of the Board throughout all State departments. In turn, Governor Lingle has made a strong commitment to the Board. I extend my personal Mahalo and gratitude for their continued hard work and look forward to their continued success.

Theodore E. Liu,

Director



## SMALL BUSINESS REGULATORY REVIEW BOARD

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## MESSAGE FROM THE CHAIR



The year 2003 has been one of great accomplishments by the Small Business Regulatory Review Board. With the support of Governor Linda Lingle, DBEDT Director Theodore Liu, and the hard work of Business Advocate Dori Palcovich and Business Advocate Assistant Shawn Pelley, our board of business volunteers has accomplished many of the strategic goals set in May of this year.

On behalf of the Board Members I wish to thank the agency directors of the current administration for completing five years of work in six months. Their hard work moves us steps closer to casting off Hawaii's reputation of not being a business friendly state.

A very special thank you to all our SBRRB Members for all the time you have spent reviewing rules, assisting businesses with regulatory impacts and developing legislation to ensure a fair and balanced economic future for Hawaii's business community. It is an honor to work with all of you.

Lynne Woods  
 Chairperson  
 December 2003

# **SMALL BUSINESS REGULATORY REVIEW BOARD**

## **OVERVIEW**

Members of the Small Business Regulatory Review Board are pleased to provide a summary of activities for the period of December 2002 through December 2003, pursuant to the Regulatory Flexibility Act (RFA), Chapter 201M, HRS, 2002.

### **I. [201M-5] Small business regulatory review board; powers**

(f) The board shall submit an annual report to the legislature twenty days prior to each regular session detailing any requests from small business owners for review of any rule adopted by a state agency, and any recommendations made by the board to any agency or the legislature regarding the need for a rule change or legislation.

### **II. Legislative Report**

Also provided in this Report, pursuant to Senate Concurrent Resolution 76 SD1, by the Senate and House of Representatives of the Twenty-Second Legislature of the State of Hawaii, Regular Session 2003, that the Governor request the Hawaii Small Business Regulatory Review Board to “develop and formulate a small business bill of rights for consideration during the 2004 legislature no later than twenty days prior to the convening of the 2004 Regular Session.”

## **I. ANNUAL SUMMARY**

### **REGULATORY FLEXIBILITY ACT**

Hawaii's Small Business Regulatory Flexibility Act (RFA) went into effect July 14, 1998, pursuant to Act 168, SLH 1998. In July 1999, the initial Small Business Regulatory Review Board members (Board) were nominated by departmental advisory committees on small business, and given interim appointments by Governor Cayetano.

Prior to the four-year sunset on June 30, 2002, specified in Act 168, the RFA and the Board received permanent status when Governor Cayetano signed HB 2449, HD 1, SD2, which became Act 202, SLH 2002, and has since been codified as Chapter 201M, Hawaii Revised Statutes (Appendix 1).

### **SMALL BUSINESS REGULATORY REVIEW BOARD MEMBER**

#### **COMPOSITION**

The Board is comprised of eleven current owners or officers of businesses or former owners or officers from across the State that volunteer their time to work at reviewing rules and regulations, attending state agency meetings, making presentations and performing outreach activities to small business organizations, and commenting on legislation. The Board is scheduled to meet monthly, and is administratively attached to the Department of Business, Economic Development & Tourism (DBEDT). Members provide recommendations to State agencies on proposed new and amended rules that directly impact small business, and review existing rules upon request, or at the Board's initiative. Since its inception, the Board

has had several new members and re-appointees whose terms have expired. As of December 2003, the Board is operating at full capacity (Appendix 3).

As an effective and efficient means of review, each Board member is assigned to one or more State agencies as a “discussion leader,” and is responsible for the initial review of the administrative rules of that agency prior to consideration by the full Board. The Board also has the power to solicit testimony from the public regarding any report submitted by the agency.

In January 2003, the Board sent correspondence to the newly-appointed State agency Directors congratulating them on their recent appointments and requesting a meeting to introduce the Board members, discuss the Board’s role, its function, and to learn about each respective agency’s rule changes and activities. To date, discussion leaders have met with the directors and/or deputy directors of their assigned agencies. The Board intends to continue an ongoing, open dialogue with all State agencies.

## **STRATEGIC PLANNING**

The Review Board meets annually to re-establish what it stands for and to set clearly defined goals for the upcoming year. With the assistance of a trained facilitator, a strategic planning session was held in August 2003. The Board agreed to concentrate on the following activities during the 2003 – 2004 year.

1. Regulatory Flexibility Act / Administrative Directive 99-02 / Flow Chart –  
The Board established an investigative subcommittee to modify the RFA, review, analyze, and propose a revised Administrative Directive on the preparation of draft administrative rules to submit to the Governor for

approval, and a corresponding flowchart. (Administrative Directive is described in more detail on page 14 and Appendix 2.)

2. Community Outreach – The Board established a speaker’s bureau that will make presentations to various small business organizations across the State.
3. Compliance with 201M-7 “Periodic Review; Evaluation Report” – Members provided a report on the impact and updated status of their respective assigned agencies. An evaluation sheet to assist the members in the review was created.
4. Fast Track Administrative Rule Review Procedure – The Board initially planned to develop guidelines describing what an “emergency” rule is, and a strategy to respond to State agencies on these rules between the regularly scheduled monthly meetings. Since then, however, the Board has changed its direction slightly by establishing a prioritization strategy that focuses on both new and existing administrative rules from agencies that pertain to business complaints.

### **ADMINISTRATIVE RULE REVIEW**

Since its inception, the Board reviewed a total of 136 sets of proposed new and amended rules. The results are categorized in Appendix 4.

From December 2002 through December 2003, the Review Board reviewed and made recommendations on a total of 30 sets of new and amended administrative rules. The results and summary of each rule are categorized below along with comments by Board discussion leaders.



### **Department of Accounting & General Services**

1. HAR Chapter 3-111, “Hawaii State Art Museum”

Comments – The proposed rules, which allow for catered events at the Hawaii State Art Museum, were supported by the Board. The Board determined that the rules were rational, generated revenue for private groups, created business for small companies, and did not present a negative impact.

### **Department of Agriculture/Board of Agriculture**

2. HAR Chapter 4-28, “Poultry and Birds”

Comments – While there is some impact on small business, the rule amendments that set restrictions on the import and sale of possibly diseased birds are rational and any impact on small business is necessary for health purposes. The Board fully supports these rules.

### **Department of Budget & Finance/Public Utilities Commission**

**Budget & Finance** - No key matters of small business impact have been noted.

**Public Utilities Commission** - No key matters of small business impact have been noted.

### **Department of Business, Economic Development & Tourism**

No key matters of small business impact have been noted.

### **Department of Commerce & Consumer Affairs**

3. HAR Chapter 16-36, “Practice and Procedure of the Business Registration Division”

Comments – The administrative rule changes were supported by the Board. Any impact is positive and the proposed changes will make registration easier for small business.

4. HAR Chapter 16-77, “Contractors”

Comments – The proposed rules are supported by the Board. Although the rules will affect those small businesses that are general and specialty contractors, it was determined that the impact on business is positive.

5. HAR Chapter 16-89, “Nurses”

Comments – The proposed rules are supported by the Board. The rules relate to educational qualifications and have no direct impact on small business.

**Department of Defense**

No key matters of small business impact have been noted.

**Department of Education**

No key matters of small business impact have been noted.

**Department of Hawaiian Home Lands and the Office of Hawaiian Affairs**

6. HAR Chapter 10-3, “Native Hawaiian Rehabilitation Program”

Comments – The Board supports the amended rules.

**Department of Health**

7. HAR Chapter 11-100.1, “Adult Residential Care Homes”

Comments – The Board supports the proposed rules in their draft form.

8. HAR Chapter 11-54, “Water Quality Standards”

Comments - The Board recommended that the agency follow only the federal language as some of the proposed changes deviated from federal standards. The

agency responded to the Board by indicating agreement with the recommended changes.

9. HAR Chapter 11-60.1, “Air Pollution Control”

Comments - The Board supports the rule changes contingent upon those changes not going beyond the federally-mandated regulations.

10. HAR Chapter 11-56, “Nonpoint Source Pollution Control”

Comments - The Board requested a small business impact statement from the agency before the rules go to public hearing. However, the agency made the decision not to proceed with the administrative rule changes, at this time.

11. HAR Chapter 11-41, “Lead-Based Paint Activities”

Comments – The Board supports the proposed rule amendments contingent upon the rules not going beyond federally-mandated regulations. The Board commends the agency for its accuracy and conciseness of its small business impact statement.

12. HAR Chapter 11-113, “Substance Abuse Testing by Laboratories”

Comments – The rules do not appear to have any significant small business impact; the Board supports the changes.

13. HAR Chapter 11-342G, “Deposit Beverage Container Recycling”

Comments – The Board does not support the proposed rules in their current draft form. The Board recommends that the agency approach all those small businesses and business-related associations that are impacted by the rules to educate them and to determine exactly what impact the rules will have. Specific items to be addressed in the rules should clearly include accommodations to businesses regarding collection

processes, penalties, and the procedures for calculating the general excise tax on deposit fees.

### **Department of Human Resources Development**

No key matters of small business impact have been noted.

### **Department of Human Services**

14. HAR Chapter 17-2033, “Military Housing Privatization Initiative Program General Excise and Use Tax Exemptions”

Comments – The Board supports the concept that the military housing is below standard and the proposed rules will enable developers to economically provide upgraded facilities.

### **Department of Labor & Industrial Relations**

15. HAR Chapter 12-58.2, “Safety and Health Professional”

Comments – The rules bring the state rule language in line with the federal language. The Board is in support of the changes.

16. HAR Chapter 12-52.1 “Occupational Injury and Illness Recording and Reporting Requirements”

Comments - The proposed rules bring the state in line with federal guidelines. The Board supports the changes.

17. HAR Chapter 12-50, “General, Legal, and Administrative Provisions”

Comments – There is no negative impact on business. The Board supports the changes.

(In addition to reviewing the Department of Labor and Industrial Relations' administrative rules, throughout 2003 the Board attended and participated in the agency's HIOSH quarterly meetings to keep abreast of current activities.)

**Department of Land & Natural Resources (DLNR)**

18. HAR Chapter 13-34, "Pupukea Marine Life Conservation District, Oahu"

Comments – The Board has no further recommendations to these rules, which have already been adopted.

19. HAR Chapter 13-38, "Wai'Opae Tidepools Marine Life Conservation District, Hawaii"

Comments – The Board received a petition for rule review from Planet Ocean Watersports, as provided by the RFA, Section 201M-6, regarding the small business impact statement submitted by the Department of Land and Natural Resources (DLNR). Upon hearing testimony in October 2003 from DLNR and Planet Water Oceansports, the Board requested that DLNR amend the rules to allow for limited commercial activity in the Wai'Opae Tidepools Marine Life Conservation District. DLNR has responded by acknowledging the Board's request and taking the matter to the Board of Land and Natural Resources (BLNR) at its December 12, 2003 meeting. At this meeting, BLNR determined that allowing any commercial activity would be detrimental to the conservation district.

20. HAR Chapter 13-39, "Unencumbered Public Lands"

Comments – The Board supports the proposed rule changes with reservations, primarily due to the department's inability to specifically identify all those businesses

that will be impacted by the rules. Other areas of concern relate to the permitting process and the ability to accurately enforce the rules.

21. HAR Chapter 13-275 – 284, “Historic Preservation Program”

Comments – These adopted rules are supported by the Board.

22. HAR Chapter 13-1, “Contested Case Hearings”

Comments – The Board supports the agency’s intent to improve the process for the conduct of contested cases, while opposing several of the proposed amendments. It was, therefore, agreed that those more directly impacted by the rules voice concern at the public hearing and then, subsequently, for the agency to consider all items of concern by the Board and impacted parties.

23. HAR Chapter 13-231, “Ocean Recreation and Coastal Area, Part I, Small Boat Harbors”

Comments – The Board supports the rules with reservations; the proposed amendments reflect changes that small businesses should support, provided that their privileges are not compromised.

**Department of Public Safety**

No key matters of small business impact have been noted.

**Department of Taxation**

24. HAR Chapter 18-235, “Automatic Extension of Filing Individual Income Tax Returns”

Comments – The Board supports the proposed rules and recommends that for future consideration on-line filing of taxes be included for all types of business entities, as well as individuals.

25. HAR Chapter 18-235, “Income Tax Law”

Comments – This rule specifically relates to Chapter 235-1.08, “Residence Status, Factors Considered.” The Board determined that there is no small business impact in this rule that relates to military personnel.

26. HAR Chapter 18-236D, “Estate and Transfer Tax”

Comments – The Board supports the rule changes that simplify the procedures for estate tax settlement.

**Department of Transportation**

No key matters of small business impact have been noted.

**University of Hawaii**

No key matters of small business impact have been noted.

**Counties**

27. Kauai Department of Water – “Relating to Adoption of Water System Standards 2002”

Comments – The Board supports the rule changes, which include fee increases and change the effective date of the increases from July 1, 2003 to July 1, 2004.

28. Kauai County – “Agricultural Dedication Program Rules, Section 5A-9.1”

Comments – The Board supports the rules due to the importance of encouraging preservation of agricultural land dedication, in order to protect the State’s independent small farms.

29. Kauai County - “Tree Farm Development Rules, Section 5A-11.26”

Comments – The Board supports the rules due to the importance of encouraging preservation of agricultural land dedication in order to protect the State’s independent small farms.

### 30. Department of Liquor Control – County of Hawaii

Comments - The Board supports the proposed amendments; and while the rules provide some minor impact to small business, the changes are of a positive nature.

## **BOARD LEGISLATIVE ACTIVITY**

Since its inception, the Board has supported legislation by submitting testimony on a number of bills of interest to small business. The Board will continue to monitor legislation with both positive and negative impacts on small business.

Upon completion of the 2003 legislative session, a Concurrent Resolution was approved as a result of the Board’s legislative proposal, “The Small Business Bill of Rights.” This is SCR 76 SD1, “Requesting the Hawaii Small Business Regulatory Review Board to develop and formulate a Small Business Bill of Rights for consideration during the 2004 Legislature.” It is discussed in more detail in Part II.

## **SMALL BUSINESS IMPACT STATEMENT / ADMINISTRATIVE DIRECTIVE 99-02**

Under Section 201M-2, HRS, State agencies that want to adopt new or modified administrative rules that have an impact on small business must submit to the Board a small business impact statement showing the economic impact on those businesses. The Board reviews the impact statements, which are required by the RFA and the Governor’s Administrative Directive (AD 99-02) (Appendix 2), while working with the rule-drafting agencies on behalf of the small business community. In August 1999, Governor Cayetano issued AD 99-02 to update the



policy and procedures by which State departments and agencies request the Governor's approval for a public hearing for any proposed adoption, amendment or repeal of administrative rules developed under Chapter 91, HRS.

With the assistance of DBEDT staff, the Board is planning to schedule "technical" workshops for all State agencies during 2004 to review and discuss the small business impact statement development process and the internal processes for submission of administrative rules to the Board. These workshops will be conducted after completion of a revised Administrative Directive.

### **PROJECTS AND ACTIVITIES**

Over the past year, the Board has performed the following projects and activities.

- Presented its vision, mission, and action plan to Governor Lingle's entire Cabinet. The Board explained why small businesses are important to the economy, what the Board's responsibilities are, and welcomed each state agency to partner with the Board to assist Hawaii's small businesses. The presentation demonstrated a positive attitude toward proactive legislation and allowed the Board to educate the Administration about its responsibilities.

- Formed a legislative investigative subcommittee to review specific bills and legislative items of interest to small business. The subcommittee developed and formulated the concept and initial draft of a "Small Business Bill of Rights." The Board is pleased that a Concurrent Resolution endorsing the Bill of Rights was introduced during the 2003 legislative session.

- Established a Newsletter, which is electronically distributed to business organizations, legislators, and small businesses throughout Hawaii. Information in the Newsletter recaps significant activities conducted by the Board each quarter.
- Formed a “Speaker’s Bureau” to make presentations to small business organizations. The presentation encompasses the Board’s vision, mission, responsibilities and goals.
- Continued to investigate and gather information on statewide procurement processes.
- Launched the Board’s own website at [www.hawaii.gov/dbedt/sbrrb](http://www.hawaii.gov/dbedt/sbrrb). Information on the site includes current board agendas, meeting minutes, history of the RFA, Board member information, the quarterly Newsletter, and various links to business-related sites.
- Formed an “Administrative Directive/Regulatory Flexibility Act” investigative subcommittee to determine whether the Board has been receiving small business impact statements in their proper format according to the requirements in the RFA and the Administrative Directive.

## ADMINISTRATIVE RULE REVIEW - REQUESTED BY SMALL BUSINESS

In compliance with Section 201M-5 (f) of the RFA, the following outlines administrative rules and legislative issues requested by small business owners for the Board to review. As this is the first time the Board is presenting the information in depth, it encompasses a period of nearly three years.

### **1. HAR Chapter 19-21, “Prearranged Ground Transportation at Public Airports”**

In December 2001, Mr. Wayne Tanaka, Vice President & General Manager of Enterprise Rent-a-Car, voiced his company’s concern opposing the Department of Transportation’s proposal of a new fee structure. The agency was proposing a fee of 5.0% of monthly gross receipts derived from off-airport rent-a-car services at public airports, in lieu of the current \$20/per vehicle per year fee structure.

In January 2002, the Board received correspondence from Mr. L. Patrick Kirley, President and Owner of Tradewinds U-Drive, Inc., also expressing concern about the new fee structure. Mr. Kirley requested that the proposed rules be modified to exclude companies with less than 250 cars.

**Board Recommendation:** The Board did not support the department’s proposal to increase fees for off-airport rent-a-car services at public airports, based on a percentage of gross receipts, and recommended the agency consider a 25% to 50% increase to the existing \$20.00 per vehicle fee, equating to a flat fee of approximately \$25 to \$30. The department was receptive to the Board’s recommendation.

**Status:** To date, the original proposed amendments have not been finalized, and are still in process of being assessed.

## **2. HAR Chapter 13-95, “Taking and Selling of Marine Resources”**

In January 2002, the Board received correspondence from Mr. Allan Nagao d/b/a AN Fishing expressing concern with a Department of Land and Natural Resources rule change regarding the increase in the minimum size limitations on fish catch. Mr. Nagao recommended that rather than changing the catch size, that the Agency change the gear (or net) size.

**Board Recommendation:** Board members requested and heard testimony from DLNR’s aquatic biologist describing information on the minimum size limitations on the fish catch. It was determined that Mr. Nagao’s concerns did not disclose a clear understanding of the proposed rule change, but rather, was related to another DLNR rule. As no other opposition by the majority of the industry was evident, the Board unanimously supported the rule changes.

**Status:** DLNR has agreed to review Mr. Nagao’s concerns as they relate to another administrative rule.

## **3. Senate Bill 3023 “Relating to Unauthorized Practice of Law”**

In March 2002, Ms. Kit L. Atchley of Valley Isle Paralegal requested assistance from the Board in regard to regulation of “independent paralegals.” Ms. Atchley proposed modifications to SB 3023 “Relating to the Unauthorized Practice of Law,” which includes paralegals. The Bill, however, was not passed in the 2002 legislative session.

**Board Recommendation:** A reply to the Board from the State’s Professional and Vocational Licensing Division at the Department of Commerce and Consumer Affairs revealed that paralegals are not currently a State licensed group.

**Status:** The Board responded to Ms. Atchley by encouraging her to continue with the legislative proposal.

#### **4. “Maui County – Vacation Rentals”**

In March 2002, Dr. David Dantes approached the Board regarding Maui County zoning and permit issues associated with running a “short term” vacation rental business in a residential dwelling. Several other individuals operating vacation rental businesses in Maui County also contacted the Board and conveyed similar concerns. The Board received a petition requesting a review of both State and County regulations, which were affecting Dr. Dantes’ vacation rental operation. In response to the petition, the Board requested and received an updated report from the Maui County Planning Department.

**Recommendation:** It was recommended that Dr. Dantes submit testimony on Senate Bill 2007, “Land Use: Agricultural District,” and that a task force be formed to develop suggested guidelines to implement intermediate standards regarding zoning to present to Maui County.

**Status:** The Board received correspondence explaining rules and restrictions of Maui County’s general plan, community plans, and zoning regulations for vacation rental use of single-family dwellings. A consultant was hired by the Planning Department to prepare an assessment of impacts of vacation rental properties on land values in the agricultural district and impacts on the rental housing market, and to conduct a survey to determine if residents agree that vacation rentals should be allowed in residential and rural communities. Workshops were also held by the

Planning Commission to review a preliminary report and alternative proposals to allow vacation rentals in residential and rural neighborhoods.

**5. Act 208, SLH 1990 “Relating to Kaneohe Bay”**

In July 2002, Mr. Sig Schuster approached the Board regarding restrictions imposed by Act 208, SLH 1990, that had negatively impacted his business, Kaneohe Bay Cruises.

**Board Recommendation:** After researching the law, a letter was submitted to the Chairperson of the Board of Land and Natural Resources (BLNR), requesting that BLNR support and consider the needs of small businesses that operate commercial ocean recreation businesses in Kaneohe Bay.

**Status:** The Board has not received a response from BLNR.

**6. HAR Chapter 16-84, “Massage Therapy”**

In September 2002, Ms. Rhonda Scott, owner of The Massage Table Store, explained to the Board that in 1996, the Department of Commerce and Consumer Affairs began promulgating changes to HAR Chapter 16-84, “Massage Therapy.” Subsequently, the Board of Massage made additional changes to the rules after receiving community input, and submitted those changes to the Professional and Vocational Licensing Division (PVLVD) at the Department of Commerce & Consumer Affairs (DCCA). Since then, the proposed rules have not been finalized. Ms. Scott requested the Board’s assistance in expediting the proposed amended rules.

**Board Recommendation:** The Board submitted correspondence to the Acting Licensing Administrator of PVLVD, encouraging the expeditious promulgation of the proposed rules.

**Status:** The rules are currently under review at DCCA. Promulgation of the rules will likely occur within the year.

#### **7. HRS 271 “Motor Carrier Law”**

In November 2002, Ms. Dale Evans and Ms. Darcie Evans of Charley’s Taxi delivered testimony to the Board purporting that the transportation business in Hawaii is overly regulated. They requested support from the Board to help transportation-related businesses identify and assist in regulatory relief.

**Board Recommendation:** The Board established an investigative subcommittee to research Ms. Evans’ concerns, which included postponing renewal of the taxi dispatch contract at the Honolulu International Airport, and clarifying Public Utility Commission rules. The Board recommended that Ms. Evans write to the Mayor of Honolulu regarding City and County regulatory concerns.

**Status:** The Board partnered with the Department of Transportation to postpone the taxi management concession bidding process until after a thorough review of the bidding and procurement processes. The Board encouraged the Airport Concession Task Force to finalize plans to implement an independent system that will work for all taxis as well as provide better service to incoming visitors. Other activities to assist Ms. Evans’ concerns are in process.

#### **8. “County of Maui – Permits and Waivers”**

In March 2003, several Maui small business owners, comprised of windsurfing, kite-surfing, and kite-boarding companies, discussed concerns regarding complications in obtaining permits and waivers through the County of Maui and the Federal Aviation

Administration (FAA). Further discussion revealed negative experiences in obtaining an FAA Letter of Good Standing and meeting required criteria.

**Board Recommendation:** The Board recommended that the County of Maui consider changing the current permit process for kite-boarding companies; specifically, that a letter of good standing be issued from the County rather than a private entity, thereby removing any perceived conflicts of interest.

**Status:** The Board has not received a response from Maui County and the FAA may change its procedures to not allow any activities in proximity to airport runways.



## **II. Legislative Report**

As a result of the Board's proposal to the 2003 Legislature for a "Small Business Bill of Rights," a Concurrent Resolution was approved.

SCR 76 SD1, (Appendix 5) "Requesting the Hawaii Small Business Regulatory Review Board to develop a "Small Business Bill of Rights" for consideration during the 2004 Legislature," requires the Board to develop and formulate a "Small Business Bill of Rights" as "an official declaration of the expectations of small businesses when dealing with state government." It further requires the Board to submit the "Small Business Bill of Rights" in "a form suitable for legislation to the Legislature no later than twenty days prior to the convening of the 2004 Regular Session," which "will embrace the methods and procedures by which the various state departments and agencies will create a business environment that will position the State as the most small business friendly in the nation."

The general concept of the "Small Business Bill of Rights" is intended to give small businesses basic rights of due process and to level the playing field. With the assistance of Maui's Senator Rosalyn Baker, the Board is in the process of developing the "Small Business Bill of Rights" for consideration during the 2004 legislative session. The following "rights" are in the process of being analyzed and expanded upon: 1) Right to avoid penalties by correcting alleged regulatory violations; 2) Right to a timely response to an application; 3) Right to automatic renewal of essential permits; 4) Right to have a timely and impartial hearing on regulatory violations; 5) Right to a presumption of innocence; 6) Right to have hearing representation paid for by the prevailing party; 7) Right to be notified and remedy any workplace

deficiencies alleged by employees; 8) Right to insurance coverage regardless of the small premium amount; 9. Right to privacy of proprietary information submitted to an agency when bidding; and 10) Right to have small businesses compete fairly for procurement awards.

## **APPENDICES**

1. Chapter 201M, HRS
2. Administrative Directive 99-02
3. Board Member Listing
4. Administrative Rules Reviewed
5. Senate Concurrent Resolution 76 SD1

## Appendix 1

## [CHAPTER 201M

## SMALL BUSINESS REGULATORY FLEXIBILITY ACT]

## Section

201M-1 Definitions

201M-2 Determination of small business impact; small  
business impact statement

201M-3 Small business statement after public hearing

201M-4 Advisory committee on small business; consultation  
process for proposed rules

201M-5 Small business regulatory review board; powers

201M-6 Petition for regulatory review

201M-7 Periodic review; evaluation report

201M-8 Waiver or reduction of penalties

201M-9 Executive order

[§201M-1] Definitions. As used in this chapter, unless the context clearly requires otherwise:

"Advisory committee" means an advisory committee on small business as established in section 201M-4.

"Affected small businesses" or "affects small business" means any potential or actual requirement imposed upon a small business through an agency's proposed or adopted rule that will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business.

"Agency" means each state or county board, commission, department, or officer authorized by law to make rules, except those in the legislative or judicial branches.

"Board" means the small business regulatory review board.

"Small business" means a for-profit enterprise consisting of fewer than one hundred full-time or part-time employees. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §5]

that are more stringent than those mandated by any comparable or related federal, state, or county standards, with an explanation of the reason for imposing the more stringent standard.

(c) This chapter shall not apply to proposed rules adopted by an agency to implement a statute or ordinance that does not require an agency to interpret or describe the requirements of the statute or ordinance, such as federally-mandated regulations which affords the agency no discretion to consider less restrictive alternatives. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §5]

[§201M-3] **Small business statement after public hearing.** For any proposed rules that affect small business, the agency shall also submit a small business statement to the small business regulatory review board and the departmental advisory committee on small business after the public hearing is held. This section shall not apply to emergency rules. The small business statement required by this section shall provide the following information:

(1) A description of how opinions or comments from affected small business were solicited, a summary of the public and small business comments, and a summary of the agency's response to those comments;

(2) The number of persons who:

(A) Attended the public hearing;

(B) Testified at the hearing; and

(C) Submitted written comments; and

(3) If there was a request to change the proposed rule at the hearing in a way that affected small business, a statement of the reasons for adopting the proposed rule without the requested change. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §5]

(c) All members of the board shall be either a current or former owner or officer of a business and shall not be an officer or employee of the federal, state, or county government. A majority of the board shall elect the chairperson. The chairperson shall serve a term of not more than one year, unless removed earlier by a two-thirds vote of all members to which the board is entitled.

(d) A majority of all the members to which the board is entitled shall constitute a quorum to do business, and the concurrence of a majority of all the members to which the board is entitled shall be necessary to make any action of the board valid.

(e) In addition to any other powers provided by this chapter, the board may:

- (1) Adopt any rules necessary to implement this chapter;
- (2) Organize and hold conferences on problems affecting small business; and
- (3) Do any and all things necessary to effectuate the purposes of this chapter.

The board shall submit an annual report to the legislature twenty days prior to each regular session detailing any requests from small business owners for review of any rule adopted by a state agency, and any recommendations made by the board to an agency or the legislature regarding the need for a rule change or legislation. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §§3, 5]

[§201M-6] **Petition for regulatory review.** (a) In addition to the basis for filing a petition provided in section 91-6, any affected small business may file a written petition with the agency that has adopted the rules objecting to all or part of any rule affecting small business on any of the following grounds:

- (1) The actual effect on small business was not reflected in, or significantly exceeded, the small business impact statement submitted prior to the adoption of the rules;
- (2) The small business impact statement did not consider new or significant economic information that reveals an undue impact on small business; or
- (3) These impacts were not previously considered at the public hearing on the rules.

(2) The impact statement did not consider new or significant economic information that reveals an undue impact on small business; or

(3) These impacts were not previously considered at the public hearing on the rules.

(e) For rules adopted prior to July 1, 1998, the regulatory review board may base its recommendation to the agency on any of the following reasons:

(1) The rules created an undue barrier to the formation, operation, and expansion of small businesses in the State in a manner that significantly outweighs its benefit to the public;

(2) The rules duplicate, overlap, or conflict with rules adopted by another agency or violate the substantive authority under which the rules were adopted; or

(3) The technology, economic conditions, or other relevant factors justifying the purpose for the rules have changed or no longer exist.

(f) If the small business regulatory review board recommends that an agency initiate rulemaking proceedings for any reason provided in subsection (d) or (e), it shall submit to the legislature an evaluation report and the agency's response as provided in subsection (c). The legislature may subsequently take such action in response to the evaluation report and the agency's response as it finds appropriate.

(g) Nothing in this section shall entitle an affected small business to a contested case hearing under chapter 91. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §5]

#### Revision Note

"July 1, 1998" substituted for "the effective date of this chapter".



(b) Subsection (a) shall not apply when:

(1) A small business fails to exercise good faith in complying with the statute or rules;

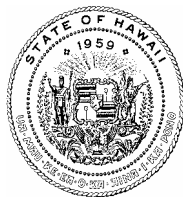
(2) A violation involves wilful or criminal conduct; and

(3) A violation results in serious health, safety, or environmental impact.

(c) An agency may adopt rules to implement the requirements of this section. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §5]

[§201M-9] Executive order. The governor may execute any executive order, memorandum, or directive necessary to implement any provision of this chapter. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §5]

## Appendix 2



EXECUTIVE CHAMBERS  
HONOLULU

August 2, 1999

BENJAMIN J. CAYETANO  
GOVERNOR

## ADMINISTRATIVE DIRECTIVE NO. 99-02

To: All Department Heads

Subject: Policy and Procedure for the Adoption, Amendment, or Repeal of Administrative Rules

This administrative directive updates the policy and procedure by which departments or agencies shall request executive approval of any proposed adoption, amendment, or repeal of administrative rules. It rescinds Administrative Directive No. 94-04, Policy and Procedure for the Adoption, Amendment, or Repeal of Administrative Rules, dated July 28, 1994.

### Legal Reference:

Section 91-3(c), Hawaii Revised Statutes, provides that, “the adoption, amendment, or repeal of any rule by any state agency shall be subject to the approval of the governor.”

Section 2 of Act 168, Session Laws of Hawaii 1998, enacted the “Hawaii Small Business Regulatory Flexibility Act,” which requires that if a proposed rule “affects small business,” the department or agency shall submit a “small business impact statement” and a “small business statement” to the Small Business Regulatory Review Board and to any departmental advisory committee on small business; unless the proposed rule is being promulgated on an emergency basis or in accordance with a federal or state law or statute that does not require an agency to interpret or describe the requirements of the law or statute, such as a federally-mandated regulation which affords the department or agency no discretion to consider less restrictive alternatives.

Administrative Directive No. 99-02  
August 2, 1999  
Page 2

Policy:

Whenever any department or agency requests executive approval for the proposed adoption, amendment, or repeal of a rule, the director of the department or agency shall ensure that the proposed changes conform to existing legal provisions, especially those provisions of Chapter 91, Hawaii Revised Statutes, and current administrative rules. In requesting the adoption, amendment, or repeal of any rule, the director shall fully explain or submit the following:

1. Exact changes to be made and the reasons for the changes, including a justification for the proposed adoption, amendment, or repeal of any rule. If applicable, the present rule shall be cited and the proposed rule shall be quoted in full without paraphrasing.
2. Manner in which the proposed adoption, amendment, or repeal of the rules would affect the operations or programs of the department or agency in terms of responsibilities, functions, activities, and inter-relationships, both internal and external.
3. Final result (e.g. a program improvement/clarification of statute) to be expected by instituting the proposed adoption, amendment, or repeal of a rule.
4. Program and financial impact on the State upon the adoption, amendment, or repeal of the rules. This should include the:
  - a. Long- and short-range program impact, and
  - b. Anticipated program funding required for the present biennium, including a statement as to whether funds are currently budgeted to permit the implementation and enforcement of the proposed adoption, amendment, or repeal of the rule, and estimates of anticipated savings or funding shortfalls projected over the subsequent four-year planning period.
5. Long- and short-term impacts on the public, on economic growth and the economy of the State.

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6. Other alternatives explored in attempting to resolve the problem or situation at hand other than that of adopting, amending, or repealing the rules in question.
7. A determination as to whether the proposed rule will affect small business. For purposes of this Directive, a proposed rule will affect small business if the proposed rule will be applied to a for-profit enterprise consisting of fewer than 200 full-time or part-time employees, and will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business.

If a proposed rule affects small business, the department or agency shall discuss:

- a. Whether it has considered the availability and practicability of less restrictive alternatives that could be implemented in lieu of adopting the proposed rule;
- b. Whether it has considered creative, innovative, or flexible methods of compliance for small business in lieu of adopting the proposed rule;
- c. Whether it has prepared a Small Business Impact Statement” that has been submitted to the Small Business Regulatory Review Board and to any departmental advisory committee on small business for its respective consideration and recommendation, in the manner described in § -2 of Section 2, Act 168, SLH 1998; and
- d. Whether any recommendation was made by the Small Business Regulatory Review Board and the departmental advisory committee on small business regarding the proposed rule; and, if the recommendation was not adopted, an explanation for not adopting the recommendation.

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Procedure:

Prior Approval for Public Hearing.

Prior to formal publication of notice of public hearing on the proposed adoption, amendment, or repeal of any rule, departments and agencies shall:

- a. Obtain the Attorney General's approval as to form prior to submitting the rule to me for approval for public hearing;
- b. Provide me with a copy of the proposed rule, including the information requested in Items 1 through 7 above. A copy of the requested information and a copy of the proposed rule shall be concurrently provided to the Director of Budget and Finance and to the Director of Business, Economic Development, and Tourism;
- c. Prepare and submit a Small Business Impact Statement" as required by Item 7 of the previous section; and
- d. Obtain my approval for public hearing on any rule to be adopted, amended, or repealed.

2. Notice of Public Hearings.

If any proposed rule affects small business, the notice of public hearing shall summarize any business impact described in the Small Business Impact Statement," and shall state any new fee or compliance burdens that will affect small business.

3. Final Approval of Proposed Rule After Public Hearing.

Departments and agencies shall obtain my final approval for the adoption, amendment, or repeal of any rule after the required public hearing has been held. In requesting final approval, the director of the department or agency concerned shall:

- a. Indicate whether the facts and circumstances regarding the proposed

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- adoption, amendment, or repeal of any rule has changed, compared to that information that was sent to me before the public hearing;
- b. Provide a copy of the proposed rule to the Attorney General for approval as to form prior to submitting the rule to my office for final approval;
  - c. Describe any changes that have been made to the proposed rule following public hearing, by explaining these changes and providing me with any updates of information requested in Items 1 through 7 of the above-stated Policy section. A copy of this information shall be concurrently sent to the Director of Budget and Finance, the Director of Business, Economic Development, and Tourism, and the Attorney General;

If the changes are determined to be substantial or material by the Attorney General, an additional public hearing shall be held. In these situations, the previous procedures related to my prior approval to proceed to public hearing shall be followed;

- d. Indicate whether the proposed rule affects small business; and, if so, whether a "Small Business Statement," which provides the information described in § -3 of Section 2, Act 168, SLH 1998, has been submitted to the Small Business Regulatory Review Board and the departmental advisory committee on small business; and
  - e. Submit three copies of the proposed adoption, amendment, or repeal of the rule in standard format and in accordance with Chapter 91, HRS, for my final approval. The original and a copy of the rules adopted by the department or agency shall be signed by the director of the department; or by the chairperson of a board or commission when the rule has been adopted by a board or commission which is assigned to a department for administrative purposes; or by the chairperson of the board or commission of a principal department; and by the Attorney General or the duly appointed Deputy Attorney General. The third copy may have a facsimile of the required signatures.
4. Distribution of Approved Adopted Rules.
- a. A complete set of three copies approved by me shall be filed at the Office of the Lieutenant Governor.

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August 2, 1999  
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- b. The Office of the Lieutenant Governor shall provide one copy to the agency adopting, amending, or repealing the rule.
- c. Each department or agency adopting, amending, or repealing the rule shall submit one file-stamped and certified copy of the rule in the Ramseyer and standard formats to the Legislative Reference Bureau.

Your full and prompt cooperation in complying with provisions of this administrative directive is essential.

  
NJAMIN J. CAYETANO



## Appendix 3

Island	Members	Company/Industry	Address	Discussion Leader	Phone	Fax	Email
Hawaii	Denise Walker	Walker Consultants Limited(Environmental Consulting)	P.O. Box 4998 Hilo, HI 96720	Dept. of Health - Environmental Division, Dept. of Transportation, Department of Budget & Finance, Public Utilities Commission	(808)966-6514 & (808)966-7481	(808)966-6509	<a href="mailto:dwalker@aloha.net">dwalker@aloha.net</a>
Hawaii	Al M. Inoue	Pacific Area Consultants Corp. (Real Estate Brokerage)	101 Aupuni St., Ste. 1001, Hilo, HI 96720	Dept. of Land and Natural Resources- Land Division, (Island Burial Council, BLNR only), Dept. of Commerce and Consumer Affairs (back-up)	(808)935-5741	(808)935-8269	<a href="mailto:pacc@gte.net">pacc@gte.net</a>
Kauai	Edward MacDowell	Vision Properties, Inc. (Real Estate Brokerage)	P.O. Box 29 Kapaa, Kauai, HI 96746	Department of Labor & Industrial Affairs, Department of Hawaiian Home Lands	(808)822-4444	(808)822-1612	<a href="mailto:ed@visionproperties.com">ed@visionproperties.com</a>
Hawaii	David Rietow Vice-Chair	Agro Resources, Inc. (Agribusiness Management)	65-1241 Pomaikai Place Suite 3 Kamuela, HI 96743	Office of the Lt. Governor, Department of Agriculture, Dept. of Transportation(back-up)	(808)885-6311	(808)885-6359	<a href="mailto:kamuella@agrohawaii.com">kamuella@agrohawaii.com</a>
Oahu	Phyllis N. T. Shea	Shea & Co., CPA's, Inc. (Accounting)	1585 Kapiolani Blvd.,#1240 Honolulu, HI 96814	Department of Taxation, Department of Human Services(back-up), DCCA (Professional Boards only)	(808)949-4209	(808)942-9576	<a href="mailto:pshea@gte.net">pshea@gte.net</a>
Oahu	Robert Speers, Ph. D.	Rainbow Rehabilitation (Psychologist)	1441 Kapiolani Blvd.,#807 Honolulu, HI 96814	Department of Health (Non-Environmental), Department of Human Services, Department of Human Resources Dev., Department of Education	(808)955-7244 or 239-2399	(808)955-7249 or 239-2397	<a href="mailto:perch@panworld.net">perch@panworld.net</a>
Oahu	Brian K. Zinn	Copy Shop, Inc. (Printing Company)	1100 Kaumoko Street Honolulu, HI 96825	Department of Land and Natural Resources, DOBOR	(808)394-2679	(808)394-5551	<a href="mailto:Brian@CopyShopHawaii.com">Brian@CopyShopHawaii.com</a>
Maui	Dorvin Leis	Dorvin D. Leis, Co., Inc. (Mechanical Contractor)	2265 Hoonee Place, Suite 200 Honolulu, HI 96819	Dept. of Accounting & General Services (Procurement), University of Hawaii	(808)877-3902 (808)841-2112 (Linda)	(808)847-4820	<a href="mailto:lindap@leisinc.com">lindap@leisinc.com</a>
Kauai	Jeanette Otsuka Chang	Otsuka's Furniture & Appliances (Retailer)	P. O. Box 1180 Kapaa, Kauai, HI 96746	Dept. of Commerce and Consumer Affairs	(808) 822-7766	(808)822-7798	<a href="mailto:jeanette@otsukas.com">jeanette@otsukas.com</a>
Oahu	Joyce Edwards	The Systemcenter, Inc. (Cabinet /Storage Space Coordinators)	1738 Silva Street Honolulu, HI 96819		(808) 847-0911	(808)848-2784	<a href="mailto:joyce@systemcenter.com">joyce@systemcenter.com</a>
Maui	Lynne Woods	Maui Chamber of Commerce (Business Advocate)	250 Alamaha St. N16A Kahului, HI 96732	Department of Commerce & Consumer Affairs (PVLDD-only), DLIR (back-up), Department of Business, Economic Development & Tourism, Office of the Governor	(808) 871-7711	(808) 877-6646	<a href="mailto:lynne@mauichamber.com">lynne@mauichamber.com</a>

## Appendix 4

## Statistics on Administrative Rules Reviewed

	Month/Year	Support	Oppose	No Comment	Support w/Rec.	Sup. w/Res.	Support/Oppose	Pending
	<b>Total FY 2000</b>	<b>38</b>	<b>1</b>		<b>3</b>			
<b>FY 2001</b>	Jul-00	2	1	1				
	Aug-00	2		4				
	Sep-00	3		4	1			
	Oct-00	7		1	1			
	Nov-00	2	1					
	Dec-00	2						
	Jan-01	2						
	Feb-01							
	Mar-01							
	Apr-01	3		1				
	May-01	2						
	Jun-01	1						
<b>FY 2002</b>	Jul-01	3						
	Aug-01	2						
	Sep-01							
	Oct-01							
	Nov-01	1						
	Dec-01			1				
	Jan-02	3	1	1				
	Feb-02	2					1	
	Mar-02	1		1				
	Apr-02							
	May-02	1						
	Jun-02							
<b>FY 2003</b>	Jul-02	1						
	Aug-02							
	Sep-02	1						
	Oct-02							
	Nov-02	2			1			
	Dec-02	2			2	1		
	Jan-03							
	Feb-03	1						
	Mar-03	1			1			
	Apr-03							
	May-03							
	Jun-03	2			1	1		
<b>FY 2004</b>	Jul-03							
	Aug-03	2		1				
	Sep-03				1			
	Oct-03	2						
	Nov-03	6				1		
	Dec-03	2	1	1			1	2
	<b>Totals</b>	<b>99</b>	<b>5</b>	<b>16</b>	<b>11</b>	<b>3</b>	<b>2</b>	<b>2</b>

## Appendix 5

THE SENATE

TWENTY-SECOND LEGISLATURE,  
2003

STATE OF HAWAII

S.C.R. NO.

76

S.D. 1

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# SENATE CONCURRENT RESOLUTION

requesting the hawaii small business regulatory review board to develop and formulate a small business bill of rights for consideration during the 2004 legislature.

WHEREAS, the Legislature believes that small businesses are the backbone of the State's economy; and

WHEREAS, in recent years, small businesses have increased their efforts to create a more business-friendly environment in Hawaii; and

WHEREAS, the Governor and the state departments envision Hawaii as a friendly place to do business; and

WHEREAS, a "Small Business Bill of Rights" would articulate the various concerns that small businesses believe should be recognized and addressed by state agencies; and

WHEREAS, the provisions of a "Small Business Bill of Rights" might address such areas as permitting, resolution of regulatory deficiencies, redress for compliance conformity, due process, the creation and role of a small business defender, submittal of information to government agencies for the purpose of obtaining governmental contacts, interfacing with regulatory departments, insurance requirements to meet licensing or permitting provisions, and a small business set aside program; and

WHEREAS, although the Legislature has passed such initiatives as the Small Business Regulatory Flexibility Act and permit information and facilitation legislation to ease the burdens placed on small businesses, there is need

for state agencies that come in contact with small businesses to be more sensitive to their concerns; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, the House of Representatives concurring, that the Governor is requested to direct the Hawaii Small Business Regulatory Review Board to develop and formulate a "Small Business Bill of Rights" as an official declaration of the expectations of small businesses when dealing with state government; and

BE IT FURTHER RESOLVED that the Governor is urged to request all state departments and agencies to identify appropriate operational changes to make their respective agency more sensitive to the concerns of small businesses, beginning with their own internal policies and procedures; and

BE IT FURTHER RESOLVED that the Hawaii Small Business Regulatory Review Board is requested to submit a proposed "Small Business Bill of Rights" in a form suitable for legislation to the Legislature no later than twenty days prior to the convening of the 2004 Regular Session, which will embrace the methods and procedures by which the various state departments and agencies will create a business environment that will position the State as the most small business friendly in the nation; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, each state executive department head, and the Hawaii Small Business Regulatory Review Board.

Report Title:

Small Business Bill of Rights

Hawaii State Legislature  
2003 Legislative Session  
 SCR76 SD1

Generated on 7/10/2003 10:46:40 AM

**Measure Title:** REQUESTING THE HAWAII SMALL BUSINESS REGULATORY REVIEW BOARD TO DEVELOP AND FORMULATE A SMALL BUSINESS BILL OF RIGHTS FOR CONSIDERATION DURING THE 2004 LEGISLATURE.(AMENDED TITLE)

**Report Title:** Small Business Bill of Rights

**Description:**

**Package:** None

**Companion:** SR51

**Introducer(s):** BAKER, Fukunaga, Ige, Ihara, Chun Oakland

**Current Referral:** EDB, FIN

Date		Status Text
3/11/2003	S	Offered.
3/13/2003	S	Referred to ECD.
3/24/2003	S	Resolution scheduled to be heard by ECD on 04-01-03 at 1:15 pm in conference room 229.
4/1/2003	S	The committee on ECD deferred the measure.
4/3/2003	S	Notice of public decision making by ECD on 04-04-03 at 1:45 pm in conference room 225.
4/4/2003	S	The committee(s) on ECD recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in ECD were as follows: 4 Aye(s): Senator(s) Fukunaga, Ige, Ihara, Trimble; Aye(s) with reservations: none ; 0 No(es): none; and 3 Excused: Senator(s) Aduja, Kanno, Kawamoto.
4/10/2003	S	Reported from ECD (Stand. Com. Rep. No. 1506) with recommendation of adoption, as amended (SD 1).
4/10/2003	S	One Day Notice 04-11-03.
4/11/2003	S	Report and Resolution Adopted, as amended (SD 1). Transmitted to House.
4/11/2003	H	Received from Senate (Sen. Com. No. 688) in amended form (SD 1).
4/14/2003	H	Referred to EDB, FIN, referral sheet 46.
4/17/2003	H	Resolution scheduled to be heard by EDB on Monday, 04-21-03 at 8:30 am in conference room 325.
4/21/2003	H	The committees on EDB recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 10 Ayes: Representative(s) Schatz, Wakai, Herkes, Karamatsu, Magaoay, B. Oshiro, Sonson, Jernigan, Leong, Marumoto; Ayes with reservations: none; 0 Noes: none; and 4 Excused:



		Representative(s) Abinsay, Chang, Tamayo, Ontai.
4/23/2003	H	Reported from the committee on EDB (Stand. Com. Rep. No. 1662), recommending referral to the committee on FIN.
4/23/2003	H	Report adopted; referred to the committee(s) on FIN with none voting no and Representative(s) Halford, Jernigan, Meyer, Morita, Takai, Wakai excused.
4/25/2003	H	Scheduled for decision making on Monday, 04-28-03 at 9:00 am in conference room 308.
4/28/2003	H	The committees on FIN recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 9 Ayes: Takamine, Kawakami, Karamatsu, Mindo, Shimabukuro, Wakai, Jernigan, Meyer, Moses; Ayes with reservations: none; 0 Noes: none; and 6 Excused: Kaho`ohalahala, Magaoay, Nakasone, Nishimoto, Waters, Bukoski.
4/29/2003	H	Reported from the committee on FIN (Stand. Com. Rep. No. 1681), recommending adoption.
4/29/2003	H	Adopted with none voting no and Representative(s) B. Oshiro excused.
4/30/2003	H	Transmitted to Senate.
5/1/2003	S	Received from House (Hse. Com. No. 620).
5/30/2003	S	Certified copies of resolutions sent, 05-30-03.

§ = Appropriation measure

ConAm = Constitutional Amendment