

## Small Business Regulatory Review Board

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### MINUTES OF REGULAR MEETING

June 29, 2010

Conference Room 410 - No. 1 Capitol District Building, Honolulu, Hawaii

I. **CALL TO ORDER:** Chair Woods called the meeting to order at 10:30 a.m., with a quorum present.

**MEMBERS PRESENT:**

- Lynne Woods
- Charles Au
- Bruce Bucky
- David De Luz Jr.
- Donald Dymond
- Dorvin Leis
- Sharon Pang
- Richard Schnitzler

**ABSENT MEMBER:**

- Peter Yukimura

**STAFF:**

DBEDT

Milton Kwock

Office of the Attorney General

Margaret Ahn

II. **APPROVAL OF APRIL 21, 2010 MINUTES**

Mr. Schnitzler made a motion to accept the April 21, 2010 minutes as circulated. Mr. Au seconded the motion and the Board members unanimously affirmed the motion.

III. **OLD BUSINESS**

A. Election of 1<sup>st</sup> and 2<sup>nd</sup> Vice Chairs

Mr. Schnitzler made a motion to nominate Charles Au as 1<sup>st</sup> Vice Chair. Mr. De Luz seconded the motion. With no other nominations to consider, the Board unanimously voted to have Mr. Au serve as 1<sup>st</sup> Vice Chair.

Mr. De Luz made a motion to nominate Richard Schnitzler as 2<sup>nd</sup> Vice Chair. Ms. Pang seconded the motion. With no other nominations to consider, the Board unanimously voted to have Mr. Schnitzler serve as 2<sup>nd</sup> Vice Chair.

IV. **NEW BUSINESS**

A. Review and discussion of proposed amendments to Chapter 11-20, HAR, "Rules Relating to Potable Water System" (DOH)

Stuart Yamada, DOH Safe Drinking Water Branch Chief, explained that all states have to comply with Federal Environmental Protection Agency rules. The proposed amendments were updating rules adopted by the Federal Government 3-4 years ago and would bring Hawaii in line with those rule changes. The proposed amendments were taken from Federal rules verbatim with a few minor additions. The positive impact of the proposed rule changes would be better water quality to consumers. There could be some impact to small businesses but the State does not have the option to opt out of Federal compliance.

Mr. De Luz made a motion to send a memo to the Governor in support of sending the proposed amendments to public hearing. Mr. Leis seconded the motion and the Board unanimously agreed to the motion.

B. Review and discussion of proposed amendments to Chapter 16-89, HAR, "Relating to Nurses" (DCCA)  
Lee Ann Teshima, DCCA Executive Officer, Board of Nurses, along with Kathy Yokouchi, former DCCA Executive Office, Board of Nurses, summarized the proposed amendments to rules which focused on

uniform nursing requirements relating to education, care and delegation. The working group comprised of representatives from the university schools of nursing, nurses' unions, long-term care businesses and organizations, employers, Departments of Health, Human Services and Commerce & Consumer Affairs worked for over 2-1/2 years to help develop new statutes.

A motion was made by Ms. Pang to send a memo to the Governor in support of sending the proposed amendments to Chapter 16-89, HAR, to public hearing. Mr. Schnitzler seconded the motion and the Board unanimously agreed to the motion.

**C. Review and discussion of proposed amendments to Chapter 16-97, HAR., "Relating to Private Detectives and Guards" (DCCA)**

Charlene Tamanaha, DCCA Executive Officer, Board of Private Detectives and Guards, summarized the proposed amendments to Chapter 16-97, HAR, which incorporates several acts passed by this year's Legislature. Industry, when approached by DCCA, did not provide any comments to the proposed rule changes.

Motion was made by Mr. Au to send a memo to the Governor in support of sending the proposed amendments to public hearing. Mr. Bucky seconded the motion and the Board unanimously agreed to the motion.

**D. Strategic planning meeting**

Mr. De Luz made a motion to discuss new board projects and priorities at the July meeting with feedback from outgoing Chair Woods. Mr. Schnitzler seconded the motion and the Board unanimously agreed to the motion.

**E. Nomination to fill vacant board positions**

The board reviewed and discussed John Leong's application and resume. Mr. Leong was in attendance and expanded his responses to the application. Mr. Leong is the principal officer of a small business and a related nonprofit organization. His business deals with ecological restoration and conservation.

Mr. De Luz made a motion to nominate Mr. Leong to the SBRRB and to forward his application and resume to the Governor's Office. Mr. Au seconded the motion and the board voted unanimously to nominate Mr. Leong to the SBRRB.

The board reviewed and discussed Elvira Lo's application and resume. Ms. Lo was also in attendance.

Mr. Schnitzler made a motion to nominate Ms. Lo to the SBRRB and to forward her application and resume to the Governor's Office. Ms. Pang seconded the motion and the board voted unanimously to nominate Ms. Lo to the SBRRB.

Chair Woods mentioned that she would be meeting with a prospective candidate to fill the Maui seat on the board when she leaves at the end of this month.

The board directed staff to follow up with the Governor's Office on Howard West's application which was sent in December 2009.

**V. REPORT FROM CHAIR**

The Chair updated board members on proposed rule changes that were forwarded to the SBRRB for consideration that had no small business impact.

**VI. REPORT FROM BOARD MEMBERS**

**VII. ANNOUNCEMENTS**

**VIII. NEXT MEETING** – Wednesday July 21, 2010, 250 South Hotel Street, Honolulu, HI, Room 410.

**IX. ADJOURNMENT** – The meeting adjourned at 12:10 p.m.