



SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism
No. 1 Capitol District Bldg., 250 South Hotel St. 5th Fl., Honolulu, Hawaii 96813
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Howard West
Oahu

Chu Lan Shubert-Kwock
Oahu

AGENDA Wednesday, April 18, 2012 ★ 10:30 a.m. No. 1 Capitol District Building 250 South Hotel Street - Conference Room 436

I. Call to Order

II. Approval of March 21, 2012 Minutes

III. Old Business – Review and Discussion of the following:

- A. Small Business Statement After Public Hearing for amendments to Hawaii Administrative Rules, Title 16, Chapter 88, “Relating to Naturopaths” (Department of Commerce and Consumer Affairs) – *See Exhibit 1*

IV. New Business – Review and Discussion of the following:

- A. Correspondence from Hawaii Association of Public Accountants, dated March 8, 2012, “Board of Public Accountancy Meeting on March 2, 2012, and Draft Hawaii Administrative Rules for Act 66 of 2010” - *See Exhibit 2*
- B. Hawaii Administrative Rules, Title 11 Chapter 281, “Underground Storage Tank Program” (Department of Health) – *See Exhibit 3*
- C. Hawaii Administrative Rules, Title 15, Subtitle 5, Chapter 26, “Aloha Tower Development Corporation” (Department of Transportation) – *See Exhibit 4*
- D. Hawaii Administrative Rules, Title 19, Subtitle 2, Chapter 38.1, “On-Demand Taxi Service at Public Airports,” requested by Ms. Dale Evans, President of Charley’s Taxi for the Department of Transportation’s review and update of administrative rules and regulations for small business taxicab users – *Exhibit 5*

V. Legislative Matters

- A. Status on House Concurrent Resolution 119, “Urging the Governor to properly support the Small Business Regulatory Review Board of the Department of Business, Economic Development and Tourism in assisting Hawaii’s Small Businesses”
- B. Status on Senate Bill 2739 SD2, HD1 “Relating to the Small Business Regulatory Review Board” - Authorizes the small business regulatory review board to require an agency to conduct another public hearing on a rule change when the rulemaking agency declines to make changes requested at the first hearing and the agency's small business statement, submitted after the hearing, indicates inconsistency with its earlier determination or does not address the public's concerns

- C. Status on Governor’s Message No. 521, “Submitting for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, Howard West,” for a term to expire 6-30-2016.
- D. Status on Governor’s Message No. 520, “Submitting for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, Chu Lan Shubert-Kwock,” for a term to expire 6-30-2016.
- E. Review and discussion of the following bills pursuant to request from Mr. Mike Marion of Waikiki-Gateway:
 - House Bill 1706, HD1, SD1, “Relating to Condominiums” - Requires that petitioners have adequate time to address concerns at a requested special association meeting; prohibits an association from adopting any rule for association meetings that would otherwise require a vote of the majority of the quorum to change, with certain exceptions.
 - House Bill 2078, HD2, SD2, “Relating to Taxation” – Requires any owner who resides without the State or on another island from where the transient accommodation is located to designate an agent residing on the same island where the transient accommodation is located, as required under the landlord-tenant code; defines duties of designated agent; requires relevant information about owners of the transient accommodation to be provided to the department of taxation for enforcement purposes; requires the counties to provide the department of taxation with relevant owner information about every transient accommodation permitted by the respective counties annually; requires specific information to be included in transient accommodations contracts, written rental agreements, advertisements, and solicitations; requires the department of taxation to include certain information on its website. Subjects persons or entities who willfully fail to supply certain information to existing penalties under the tax code.
 - Senate Bill 2947, SD2, HD2 “Relating to Taxation” - Establishes monetary awards for whistleblowers for a Department of Taxation (DOT) administrative or judicial action; authorizes DOT to appoint an administrative appeals officer; prohibits certain penalties from being added to tax underpayments on which certain other penalties are already imposed; requires all advertisements and solicitations for transient accommodations to display the registration identification number or the website address containing the registration identification number.

VI. Board Administrative Matters

- A. Update and report from Board members on discussions of outreach with the small business community and State agencies regarding the Board’s duties under Chapter 201M, Hawaii Revised Statutes (HRS)

- B. Update and discussion of recruiting potential new Board members, pursuant to Section 201M-5, HRS.

VII. Announcements

- VIII. Next Meeting:** Wednesday, May 16, 2012, No. 1 Capitol Building, 250 South Hotel Street, Conference Room 436, Honolulu, HI

IX. 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 disable), please call (808) 586-2594 at least 3 business days prior to the meeting so arrangements can be made.