

## Small Business Regulatory Review Board

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### MINUTES OF ANNUAL PLANNING SESSION

June 25, 2008

The Pacific Club – 1451 Queen Emma Street, Honolulu, HI

- I. **CALL TO ORDER:** Chair Woods called the meeting to order at 9:30 a.m., with a quorum present.

**MEMBERS PRESENT:**

- Lynne Woods
- Sharon L. Pang
- Michael Yee
- Donald Dymond
- Richard Schnitzler
- Charles Au
- Bruce Bucky
- Peter Yukimura
- David S. DeLuz, Jr.

**ABSENT MEMBERS:**

- Dorvin Leis

Pamela Tumpap, President, Maui Chamber of Commerce  
Jim Tollefson, President and Chief Executive Officer, Chamber of Commerce of Hawaii  
Meslissa Pavlicek, President, National Federation of Independent Business  
Senator Sam Slom, President of Small Business Hawaii  
Kyle Yamashita, Hawaii State Representative

**STAFF:**      DBEDT                      Office of the Attorney General  
Dori Palcovich                      Margaret Ahn  
Pearl Imada-Iboshi  
Steve Bretschneider  
Christiane McKinney

**GUESTS:**

Thomas J. Mitrano, President, Thomas J. Mitrano, Inc.  
Pamela Tumpap, President, Maui Chamber of Commerce  
Jim Tollefson, President and Chief Executive Officer, Chamber of Commerce of Hawaii  
Melissa Pavlicek, State Director, National Federation of Independent Business  
Sam Slom, Hawaii State Senator, and President - Small Business Hawaii  
Kyle Yamashita, Hawaii State Representative

### WORKING LUNCH AS THE MEETING PROGRESSED

- II. **APPROVAL OF MINUTES:** Minutes of the May 29, 2008 board meeting were approved as presented.

- III. **VOTING OF BOARD OFFICERS FOR FISCAL 2009:** Chair Woods stated that a job description for the Chair and Vice Chair positions was included in the Board packets for review. Upon Mr. Mitrano's instructions regarding the voting process, Mr. Yukimura recommended that the existing slate of Board officers remain for the fiscal 2009 year, Ms. Lynne Woods as Chair, Ms. Sharon L. Pang as Vice Chair, and Mr. Michael Yee as Second Vice Chair; the Board unanimously agreed.

- A. **DISCUSSION OF AGENCY ASSIGNMENTS:** The following State agencies have been assigned to and agreed by the respective Board members/discussion leaders. Chair Woods is assigned to the Office of the Governor, Public Utility Commission (PUC) and back-up to Department of Commerce and Consumer Affairs (DCCA). Vice Chair Pang is assigned to the Medical Division of Department of Health, Department of Human Services, and back-up to Department of DCCA. Second Vice Chair Yee is assigned to the Environmental Division of Department of Health and Department of Land and Natural Resources (DLNR). Mr. Leis is assigned to the Office of the

Lieutenant Governor and Department of Accounting and General Services. Mr. Dymond is assigned to the Department of the Attorney General, Budget and Finance and back-up to PUC. Mr. Au is assigned to the Department of Education, Department of Hawaiian Home Lands, Department of Public Safety and Department of Taxation. Mr. Schnitzler is assigned to the Department of Agriculture, Department of Business, Economic Development and Tourism (DBEDT), and back-up to DLNR. Mr. Bucky is assigned to the Department of Transportation (DOT), Department of Human Resources Development, and back-up to DBEDT. Mr. Yukimura is assigned to the Department of Defense. Mr. DeLuz, Jr., is assigned to the Department of Labor and Industrial Resources, University of Hawaii and back-up to DOT. It was explained that after June 2008, board members will be reviewing the existing rules under the agencies they have been assigned.

Chair Woods indicated that the 201M-7 review typically pertains to the age of the rule, the rule's current relevancy and whether there is a very large impact upon small businesses; she noted that the 201M-7 Report is due at the beginning of the 2009 legislative session.

#### **IV. DISCUSSION AND ASSESSMENT OF FISCAL 2008 GOALS:**

In discussing the Board's 2008 goals and successes, "giving voice to opinions that don't have any other advocate" was agreed to be one of the biggest successes. Mr. Bretschneider also indicated that the members made a major effort to get the Board's presence out to the community. In reviewing the results of the fiscal 2008 strategic planned projects, the following comments were made:

##### **A. Speaker's Bureau:**

Chair Woods explained that although the speaker's bureau was part of the Board's outreach program, it hadn't been completed because training was insufficient due to timing issues with the Board agendas. After much discussion, the members determined that a speaker's bureau is essential; thus, this goal will be carried forward into fiscal 2009. In order for such training to be convenient for all members, including neighbor island members, it was suggested that training be performed by Hastings and Pleadwell during an open meeting; it will be tentatively scheduled for August. Mr. Bretschneider will be invited to attend the training because the Board's presentation will cover speeches to organizations as well as media opportunities. At the training, role playing and critiquing of a member's presentation was suggested. It was also suggested that the actual presentations are done in a "team," rather than just one member, and that the presentation training is video-taped.

##### **B. Regulatory Alert Project**

The following incorporates the discussion from Section V., "Working Lunch"

Chair Woods explained that one of the Board's main fiscal 2008 projects was to design and implement a regulatory alert system which comes under the Board's purview of reviewing existing and proposed new rules for small business impact. Therefore, the discussion among the members and business constituents was to finalize and use the Alert program as wisely as possible. The following issues relating to the RegAlert project, among others, were discussed at the meeting:

- Submit to business organizations proposed plan outlining RegAlert position statement, including the introduction of project, implementation, and follow-up publicity
- Implementation to occur upon final feedback from business organizations
- Implementation to be no later than end of August 2008
- Rollout of project through publicity channels such as press releases, editorials, radio and television
- Submission of approximately three "Alerts" per quarter
- Pre-selecting by Board of the most important Alerts
- Response timeframe typically to be less than one month
- Communication expected to be routed to 4,000 to 5,000 small businesses
- Maintenance of the project on Board's website with linkage to the partners
- Creation of Alerts are brief and concise with business impact information
- Follow-up with business organizations is essential, shortly after project's implementation

**C. Legislative Project:**

Results of this project were reviewed; Chair Woods stated that 2008 was an interesting legislative session and explained how the Small Business Bill of Rights bill and the bill mandating this Board to convene a working group and modify the small business impact statement were incorporated into one bill, HB 2781, Relating to Small Business.” A list of potential bills that may be vetoed by the Governor, including this bill, was reviewed by the members; the Board will follow-up on fate of this bill.

**D. Agency Meetings:**

Chair Woods explained that discussion leader/board members met with State agency Directors this past fiscal year to discuss Board issues relating to their assigned agencies. Although not all meetings were easy, most of them were well received and successful which lead to a business relationship with the discussion leader. Additionally, all meetings were learning experiences and provided good training.

The Board may potentially look ahead to fiscal 2009 to identify new opportunities to meet with legislators and agency directors. Along these lines, Mr. DeLuz stated that the Department of Land and Natural Resources’ Bureau of Conveyances may be a special case deserving this Board’s attention.

**V. WORKING LUNCH – DISCUSSION OF REGALERT PROJECT:**

See Section IV. B., Regulatory Alert Project.

**VI. DISCUSSION AND RECOMMENDATIONS FOR FISCAL 2009 GOALS:**

Facilitator, Mr. Thomas J. Mitrano of Thomas J. Mitrano, Inc., indicated the goal-setting process to the members, explaining that it entailed prioritizing and clustering of the proposed goals. He explained that the list of goals will include the Board’s top priority goals, other goals that are not top-priority, and proposed goals that are not possible for 2009. He further explained that after the initial review of the proposed goals, the members will deliberate, discuss and debate the top-priority proposals, with the next step consisting of compromising, accommodating, adjusting, negotiating, and then accepting of the 2009 top priority goals. Lastly, Mr. Mitrano explained that the members were to develop benchmarks, timelines and accountabilities for those goals.

Much discussion ensued with each member expressing their individual opinions and suggestions. Upon deliberation and agreement, Mr. DeLuz recommended that the Board adopt the following proposed goals for 2009: 1) Implement the RegAlert project; 2) Hire an intern research assistant as the Board’s liaison, 3) Develop and implement a coordinated public outreach program; and 4) Prepare for the eventual implementation of the Bill of Rights and amended small business impact statement; the Board unanimously agreed.

Below outlines the proposed 2009 goals:

1. Implement RegAlert Project:
  - a. Legislative Advocacy Program
2. Hire Intern Research Assistant as the Board’s Liaison
3. Develop and Implement Coordinated Public Outreach Program:
  - a. Public and government awareness
  - b. Business community awareness
  - c. Public presentations
  - d. Listing of top 10 worse regulations/complaints
  - e. Develop a tag line
  - f. Develop and advocate the Board’s “brand”
  - g. Improve outreach of business organizations
4. Prepare for eventual implementation of the Bill of Rights and amended small business impact statement

At the next Board meeting, Chair Woods will propose specific timelines, potential task forces, milestones and measurements to the members in order to accomplish these goals.

**VII. CLOSING COMMENTS:** Chair Woods indicated that she is pleased with the proposed goals, particularly because it puts the Board in control of its own work as opposed, for example, depending on the legislature. She congratulated Vice Chair Pang and Second Vice Chair Yee for being re-nominated as Board officers. She thanked Mr. Mitrano for a job well done, thanked Ms. McKinney for her efforts in assisting the Board, and thanked the members for their hard work and attendance.

**VIII. NEXT MEETING:** Wednesday, July 16, 2008, Leiopapa a Kamehameha Building – State Office Tower, 235 Beretania Street, Conference Room 405

**IX. ADJOURNMENT:** Chair Woods adjourned the meeting at 3:10 p.m.