

Small Business Statement After Public Hearing
Proposed Adoption Of Chapter 16-182, Hawaii Administrative Rules

DEPARTMENT OR AGENCY:	Department of Commerce and Consumer Affairs ("DCCA")
Chapter and Title:	Title 16, Chapter 182, Relating to No Rules Combat or Similar Contests
Name and Phone Number of Contact Person:	Jo Ann M. Uchida Complaints and Enforcement Officer 586-2666

1. Summarize how the comments or testimonies from small businesses were solicited.

The public hearing notice was published in the Garden Island, The Maui News, West Hawaii Today, Hawaii Tribune-Herald, and Honolulu Star Bulletin newspapers on Tuesday, November 18, 2008. The public hearing notice was also posted on the DCCA's website.

On November 20, 2008, the public hearing notice was also mailed to fifty-three (53) promoters statewide, one (1) promoter in California, and one (1) promoter in Ohio. These promoters were known to the DCCA because they had sponsored no rules combat events in Hawaii since May 2005.

2. Summarize the written and oral comments or testimonies received from the public and small business regarding any proposed rule that affects small business.

The DCCA received one written testimony prior to the public hearing. The individual who submitted the written testimony supported the "immediate enactment" of the proposed rule. The proponent set forth the reasons for his support of the proposed rule: 1) to protect the health and welfare of children, the general public, and contestants at the no rules combat events; 2) other states require medical testing and such a requirement in Hawaii is grossly overdue; 3) the Auditor's Report recommended medical testing for contestants; 4) the Department of Health is "unwilling to enjoin promoters from failing to handle I-WASTE"; and 5) the Department of Human Services is "unwilling to enjoin promoters from endangering the physical welfare of minors" at no rules combat events. The written testimony did not comment on any direct impact of the proposed rule on small businesses.

The DCCA did not receive any written or oral testimony at the public hearing.

3. Summarize the Department's or Agency's response to the comments or testimonies received in Item 2.

Not applicable. The one written testimony the DCCA received supported the proposed rule and did not comment on any direct impact of the proposed rule on small businesses.

4. How many persons attended the public hearing?

One person (from the Professional and Vocational Licensing division of the DCCA) attended the public hearing.

5. How many persons orally testified at the public hearing?

None.

6. How many persons submitted written comments or testimonies in response to the proposed rule?

One person timely submitted written testimony prior to the public hearing.

7. If there was a request to change the proposed rule at the public hearing in a way that affects small business and no change was made, explain why the request was not accepted.

Not applicable, as the DCCA did not receive any testimony, written or oral, requesting to change the proposed rule in a way that affects small business.