

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1276

S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1276, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SMALL BUSINESS,"

begs leave to report as follows:

The purpose of this measure is to make various administrative and technical amendments to the Small Business Regulatory Flexibility Act, chapter 201M, Hawaii Revised Statutes.

Specifically, the measure amends the Small Business Regulatory Flexibility Act by:

- (1) Clarifying the role of the Small Business Regulatory Review Board in determining the impact of actions by state and county agencies on small businesses;
- (2) Adding definitions of "county" and "State";
- (3) Amending the definitions of "affected small businesses" and "agency";
- (4) Increasing the number of Board members from eleven to thirteen;
- (5) Removing the restriction that the chairperson shall serve a term of not more than one year;



- (6) Codifying the small business bill of rights from Act 230, Session Laws of Hawaii 2008, section 2; and
- (7) Making other non-substantive changes.

Your Committee received three written comments on this measure. The written comments may be reviewed on the Legislature's website.

Your Committee finds that this measure will clarify the rights of small businesses in Hawaii and will provide guidance on the meaning of various terms that impact the operation of small businesses in Hawaii. In addition, codifying the small business bill of rights will make it more readily accessible.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2090, to facilitate further discussion on the measure; and
- (2) Making technical, nonsubstantive amendments for consistency and clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1276, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1276, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

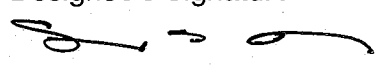


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1276 SD1	EDT/CPN, WAM	MAR 3 2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton				/
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
TOTAL	10			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes