
A BILL FOR AN ACT

RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to ensure the
2 stability of the small business regulatory review board by:

3 (1) Authorizing the department of business, economic
4 development, and tourism to establish fees pursuant to
5 chapter 91, Hawaii Revised Statutes, to be charged to
6 each agency submitting rules to the small business
7 regulatory review board as part of the agency
8 submission process, with the fees to be used for the
9 expenses of the small business regulatory review
10 board; and

11 (2) Requiring each agency to notify the small business
12 regulatory review board on an annual basis of any
13 rules that should be amended or repealed to reflect
14 statutory amendments or repeals.

15 SECTION 2. Section 201M-5, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§201M-5 Small business regulatory review board; powers.**

18 (a) There shall be established within the department of



1 business, economic development, and tourism, for administrative
2 purposes, a small business regulatory review board to review any
3 proposed new or amended rule or to consider any request from
4 small business owners for review of any rule adopted by a state
5 agency and to make recommendations to the agency or the
6 legislature regarding the need for a rule change or legislation.
7 For requests regarding county ordinances, the board may make
8 recommendations to the county council or the mayor for
9 appropriate action.

10 (b) The board shall consist of eleven members, who shall
11 be appointed by the governor pursuant to section 26-34.
12 Nominations to fill vacancies shall be made from names submitted
13 by the review board. The appointments shall reflect
14 representation of a variety of businesses in the State; provided
15 that no more than two members shall be representatives from the
16 same type of business, and that there shall be at least two
17 representatives from each county.

18 (c) All members of the board shall be either a current or
19 former owner or officer of a business and shall not be an
20 officer or employee of the federal, state, or county government.
21 A majority of the board shall elect the chairperson. The
22 chairperson shall serve a term of not more than one year, unless



1 removed earlier by a two-thirds vote of all members to which the
2 board is entitled.

3 (d) A majority of all the members to which the board is
4 entitled shall constitute a quorum to do business, and the
5 concurrence of a majority of all the members to which the board
6 is entitled shall be necessary to make any action of the board
7 valid.

8 (e) In addition to any other powers provided by this
9 chapter, the board may:

- 10 (1) Adopt any rules necessary to implement this chapter;
11 (2) Organize and hold conferences on problems affecting
12 small business; and
13 (3) Do any and all things necessary to effectuate the
14 purposes of this chapter.

15 (f) The board shall submit an annual report to the
16 legislature twenty days prior to each regular session detailing
17 any requests from small business owners for review of any rule
18 adopted by a state agency, and any recommendations made by the
19 board to an agency or the legislature regarding the need for a
20 rule change or legislation. The report shall also contain a
21 summary of the comments made by the board to agencies regarding
22 its review of proposed new or amended rules.



1 (g) The department of business, economic development, and
2 tourism may establish fees pursuant to chapter 91, to be charged
3 to each agency when submitting rules to the board pursuant to
4 section 201M-7. The fees shall be used for the expenses of the
5 board.

6 For the purpose of this subsection, "expenses" include
7 operating expenses, personnel expenses, cash capital expenses,
8 and debt service attributable to the board."

9 SECTION 3. Section 201M-7, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) Each agency having rules that affect small business
12 shall submit by June 30 of each odd-numbered year, a list of
13 those rules to the small business regulatory review board~~[-]~~;
14 provided that, by June 30 of each year, each agency shall submit
15 to the small business regulatory review board a list of any
16 rules to be amended or repealed, based upon any new, amended, or
17 repealed statute. The agency shall also submit a report
18 describing the specific public purpose or interest for adopting
19 the respective rules that affect small business and any other
20 reasons to justify [~~its~~] their continued implementation."

21 SECTION 4. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Small Business Regulatory Review Board; Administrative Rules;
Fees

Description:

Authorizes the department of business, economic development, and tourism to establish fees pursuant to chapter 91, Hawaii Revised Statutes, to be charged to each agency submitting rules to the small business regulatory review board as part of the agency submission process; requires the fees to be used for the expenses of the board; requires each agency to notify the board on an annual basis of any rules that affect small business to be amended or repealed to reflect a statutory amendment or repeal. Effective 7/1/2050. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

