



SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism (DBEDT)
No. 1 Capitol District Building, 250 S. Hotel Street, Fifth Floor, Honolulu, HI 96813
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Tel: 808 586-2419

AGENDA

Thursday, March 21, 2019 ★ 10:00 a.m.

Leiopapa A Kamehameha Building - State Office Tower
Conference Room 405 - 235 South Beretania Street, Honolulu, HI 96813

David Y. Ige
Governor

Michael McCartney
DBEDT Director

Members

Anthony Borge
Chairperson
O'ahu

Robert Cundiff
Vice Chairperson
O'ahu

Garth Yamanaka
2nd Vice Chairperson
Hawai'i

Harris Nakamoto
O'ahu

Nancy Atmospera-Walch
O'ahu

Mary Albitz
Maui

William Lydgate
Kaua'i

Director, DBEDT
Voting Ex Officio

I. Call to Order

II. Approval of February 26, 2019 Meeting Minutes

III. Old Business

AFTER PUBLIC HEARING

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to Hawaii Administrative Rules (HAR) Title 18, Chapter 235 **Income Tax Law**, promulgated by Department of Taxation (DoTax), as follows – *attached and incorporated as Exhibit 1*
 - a. Section 235-98 **Returns; form, verification and authentication; time of filing**
 - b. Section 235-1.14(d) **Substantial gainful business or occupation; defined**
- B. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 18, Chapter 237, **General Excise Tax Law**, Section 29.57-01 **Exemption for Intangible Property used Outside the State**, promulgated by DoTax – *attached and incorporated as Exhibit 2*
- C. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 11 Chapter 157, **Examination and Immunization**, promulgated by Department of Health – *attached and incorporated as Exhibit 3*

IV. Legislative Matters

- A. Discussion and Action on Governor's Message 624, Submitting for Consideration for the Gubernatorial Nomination of **Mr. James Lee** to the Small Business Regulatory Review Board for a term to expire June 30, 2020
- B. Discussion and Action on Governor's Message 625, Submitting for Consideration for the Gubernatorial Nomination of **Mr. Garth Yamanaka** to the Small Business Regulatory Review Board for a term to expire June 30, 2023
- C. Update on Governor's Message 559, Submitting for Consideration of the Gubernatorial Nomination of **Mr. Jonathan Shick** to the Small Business Regulatory Review Board for a term to expire June 30, 2022
- D. Discussion and Action on Senate Bill 1348 SD1 **Relating to the Small Business Regulatory Review Board** – Clarifies the intent of the small business regulatory review board's powers when reviewing state and county administrative rules and ordinances that impact small business

- The Board may go into Executive Session under Section 92-5(a)(4), Hawaii Revised Statutes (HRS) to Consult with the Board's Attorney Concerning the Board's Powers, Duties, Immunities, Privileges and Liabilities as it relates to the changes made to Senate Bill 1348 by the Senate Draft 1.

V. Administrative Matters

A. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, HRS

- a. Review and Action on the Board's Website Changes, to date

VI. Next Meeting: Thursday, April 18, 2019, at 10:00 a.m., 235 S. Beretania St., Leiopapa A Kamehameha Building (State Office Tower), Conf. Room 405, Honolulu, HI

VII. 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 disabled), please call (808) 586-2419 at least three (3) business days prior to the meeting so arrangements can be made.