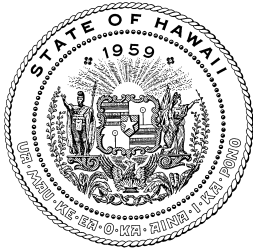


**Small Business Regulatory Review Board Meeting**

**August 15, 2024**

**10:00 a.m.**



## 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  
Mailing Address: P.O. Box 2359, Honolulu, HI 96804  
Email: [dbedt.sbrrb.info@hawaii.gov](mailto:dbedt.sbrrb.info@hawaii.gov)  
Website: [sbrrb.hawaii.gov](http://sbrrb.hawaii.gov)

Tel: 808 798-0737

### AGENDA

**Thursday, August 15, 2024 ★ 10:00 a.m.**  
**Leiopapa A Kamehameha Building – State Office Tower**  
**235 S. Beretania Street, Conference Room 405**  
**Honolulu, HI 96813**

As authorized under Act 220, Session Laws of Hawaii 2021, and Section 92-3.7 Hawaii Revised Statutes (HRS), the public can participate in the meeting either:

**A. By attending the in-person meeting at:**  
**Leiopapa A Kamehameha Building – State Office Tower 235 S. Beretania Street,**  
**Conference Room 405, Honolulu, HI 96813; or**

**B. Via Video-audio livestream or via Telephone - to join the Video-audio livestream meeting, go to:**

<https://us06web.zoom.us/j/88945374966?pwd=cDhqWEEZGZHYmJLM05tMHU5Mm5HQ09>

**C. To Join via Telephone: Dial 1-669-900-6833 with Meeting ID 883 5814 0200 Passcode 066739**

When the Chairperson asks for public testimony during the meeting, you may indicate that you want to provide oral testimony by using the raise hand function or, if calling in by telephone, entering \* and 9 on your phone keypad. When recognized by the Chairperson, you will be unmuted. If calling in by phone, you can unmute and mute yourself by pressing \* and 6 on your keypad.

Members of the public may also submit written testimony via e-mail to: [DBEDT.sbrrb.info@hawaii.gov](mailto:DBEDT.sbrrb.info@hawaii.gov) or mailed to SBRRB, No. 1 Capitol District Building, 250 S. Hotel Street, Room 508, Honolulu, HI 96813, or P.O. Box 2359, Honolulu, HI 96804. The Board requests that written testimony be received by Wednesday, August 14, 2024 so it may be distributed to Board members prior to the meeting. Testimony received after that time will be distributed to the Board members at the meeting.

Copies of the Board Packet will be available on-line for review at: [Agendas & Minutes – Small Business Regulatory Review Board \(hawaii.gov\)](#). An electronic draft of the minutes for this meeting will also be made available at the same location when completed.

The Board may go into Executive Session under Section 92-5 (a)(4), HRS to Consult with the Board's Attorney on Questions and Issues Concerning the Board's Powers, Duties, Immunities, Privileges and Liabilities.

- I. Call to Order**
- II. Approval of July 26, 2024 Meeting Minutes**

**Josh Green, M.D.**  
*Governor*

**Sylvia Luke**  
*Lt. Governor*

**James Kunane**  
**Tokioka**  
*DBEDT Director*

**Dane K. Wicker**  
*DBEDT Deputy Director*

#### Members

**Jonathan Shick**  
*Chairperson*  
*O'ahu*

**Mary Albitz**  
*Vice Chairperson*  
*Maui*

**Sanford Morioka**  
*2nd Vice Chairperson*  
*O'ahu*

**James (Kimo) Lee**  
*Hawai'i*

**Garth Yamanaka**  
*Hawai'i*

**Robert Cundiff**  
*O'ahu*

**Tessa Gomes**  
*O'ahu*

**Nikki Ige**  
*Kaua'i*

**Mark Ritchie for**  
*Director, DBEDT*  
*Voting Ex Officio*

### **III. New Business**

- A. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to Hawaii Administrative Rules (HAR) Subchapter 4, **Petitions for Intervention**, promulgated by Kauai Planning Department – County of Kauai – *Discussion Leader – Nikki Ige*

### **IV. Old Business**

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed New HAR Title 19 Subtitle 5 Motor Vehicle Safety Office, Chapter 152 **State Highway Enforcement Program**, promulgated by Department of Transportation – *Discussion Leader – James Kimo Lee*

### **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, Hawaii Revised Statutes (HRS)
  - 1. Review and Update of Board’s “Discussion Leader Assignments” for the State and County Agencies’ Hawaii Administrative Rules
  - 2. Update and Discussion on Becker Communications Inc., regarding the Board’s Small Business Outreach
  - 3. Presentations to Industry Associations
  - 4. Staff’s Small Business Outreach

### **VI. Next Meeting:** Thursday, September 19, 2024 at 10:00 a.m., held via Zoom and at Leiopapa A Kamehameha Building – State Office Tower, Conference Room 405, Honolulu, HI 96813

### **VII. Adjournment**

If you need an auxiliary aid/service or other accommodation due to a disability, contact Jet’aime Ariola at 808 798-0737 and [jetaime.k.ariola@hawaii.gov](mailto:jetaime.k.ariola@hawaii.gov) as soon as possible, preferably at least three (3) working days prior to the meeting. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

## **II. Approval of July 26, 2024 Meeting Minutes**

## Small Business Regulatory Review Board

### MEETING MINUTES - **DRAFT**

July 26, 2024

#### ZOOM Meeting Recording

- I. **CALL TO ORDER:** Chair Shick called the meeting to order at 10:02 a.m., with a quorum present.

**MEMBERS PRESENT:**

- Jonathan Shick, Chair
- Mary Albitz, Vice Chair
- Sanford Morioka, 2<sup>nd</sup> Vice Chair
- Robert Cundiff
- James (Kimo) Lee
- Tessa Gomes
- Nikki Ige
- Mark Ritchie

**ABSENT MEMBERS:**

- Garth Yamanaka

**STAFF: DBEDT**

Jet'aime Ariola  
Dori Palcovich

**Office of the Attorney General**

Alison Kato

II. **APPROVAL OF June 20, 2024 MINUTES**

Vice Chair Albitz motioned to approve the June 20, 2024 meeting minutes, as presented. Mr. Ritchie seconded the motion and the Board members unanimously agreed.

III. **OLD BUSINESS**

A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 12 Subtitle 8 Part 10 Boiler and Pressure Vessel, as follows, promulgated by Department of Labor and Industrial Relations (DLIR)

1. Chapter 220 General Administrative and Legal Provisions;
2. Chapter 222.1 Power Boilers
3. Chapter 223.1 Heating Boilers – Steam Heating Boilers, Hot Water Heating Boilers, Hot Water Supply Boilers, and Potable Water Heaters; and
4. Chapter 224.1 Pressure Vessels

Discussion leader, Vice Chair Albitz stated that prior to public hearing DLIR performed outreach to the stakeholders in August 2023 in which 16 people attended; none of the attendees had any additional comments or recommendations to include in the rules. As a result, when the public hearing occurred, no one attended.

DLIR Deputy Director Mr. William Kunstman concurred that a meeting was held with the stakeholders a year ago to take input on the draft rules. No significant suggestions, concerns or amendments at that time were provided. As noted, DLIR's regulatory scheme for the boilers is an ongoing interactive process with the major stakeholders.

Mr. Julius Dacanay, Chief Boiler Inspector, explained that only minor revisions were proposed to the boilers largely due to the major overhaul of the rules performed in 2019. Two codes were adopted from the 2021 editions of the American Society of Mechanical Engineers, Boiler and Pressure Vessel code for new construction and design, and from the National Board of Inspection Code for post-construction.

Mr. Dacanay further explained that the proposed changes also provide more detailed instructions regarding procedures in the boiler section. Also included is an increase in fees due to the increased costs associated with collective bargaining and increased cost of services.

Mr. Cundiff added that the fact that no one showed up to the public hearing is a testament to DLIR performing a lot of outreach along with assistance and support for the boiler operators. This is highly appreciated, and he recommended that DLIR continue.

Vice Chair Albitz motioned to pass the rules on to the Governor for adoption. Mr. Cundiff seconded the motion, and the Board members unanimously agreed.

#### **IV. NEW BUSINESS**

##### **A. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to HAR Title 19 Subtitle 5 Chapter 133.2, Motor Vehicle Safety Office, promulgated by Department of Transportation (DOT)**

Discussion leader Mr. Lee requested that Mr. Toby Wakumoto, Highway Safety Manager at DOT's Highways Division Motor Vehicle Safety Office, discuss the proposed rule amendments.

Mr. Wakumoto explained that the major amendment to the rules is to increase the fees for the safety inspections by .75 cents. This is to cover the vendors' costs, of which, a new contract was recently executed that increased the fee by .75 cents. The increase will affect the regular vehicle, motorcycle and moped inspections. Thus, the increase will result in a total cost of \$25.75 plus tax from \$25.00 plus tax for vehicles and \$17.75 plus tax from \$17.00 plus tax for motorcycles and mopeds.

Mr. Wakumoto explained that the increase in the inspection costs are only for personal vehicles, not commercial vehicles, which are under a separate program. To increase the cost of inspections to commercial vehicles it must be done legislatively.

Mr. Cundiff made a motion to pass the rules on to public hearing. Ms. Ige seconded the motion, and the Board members unanimously agreed.

## V. LEGISLATIVE MATTERS

A. Update, Discussion and Action, if necessary, on the following legislative matters:

1. House Bill 2354 HD1 SD1 Relating to the S-small Business Regulatory Review Board – Clarifies that the Small Business Regulatory Review Board has the authority to review legislation affecting small businesses in response to a request from small business owners.

Chair Shick reported, for informational purposes, that this measure became law on June 21, 2024. Mr. Ritchie suggested that the information from this measure be communicated to the Board's audience, such as on its website.

2. Senate Bill 2974 SD2 HD1 Relating to Economic Development – Establishes a Business Revitalization Task Force within the Department of Business, Economic Development, and Tourism to identify methods to improve Hawaii's general economic competitiveness and business climate, including the mitigation of regulatory and tax burdens; requires a report to the Legislature.

Chair Shick reported that this measure became law on July 2, 2024. DBEDT is in the process of creating an economic taskforce. The chair of the small business regulatory review board is to designate a member from this board.

Ms. Gomes suggested that board member Mr. Yamanaka and she have a conversation outside of the meeting, which is allowable under Sunshine Law, and to come up with a plan where both she and Mr. Yamanaka, at different times, sit on the taskforce.

## VI. ADMINISTRATIVE MATTERS

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

1. Update and Discussion on Becker Communications, Inc., regarding the Board's Small Business Outreach

Becker Communications will soon send out a press release on behalf of this Board announcing its new officers.

Mr. Shick will be participating in the Hawaii Chamber of Commerce's upcoming golf tournament. This will be an opportunity to discuss this Board and what it does for small businesses.

## 2. Presentations to Industry Associations

Mr. Lee attended the recent conference held by PBN in Kona. It was a well-attended event that discussed economic forecasting within various industries.

Ms. Nikki Ige was welcomed as the newest member of this Board. She has lived on Kauai for the past 13 years, and was referred by past board member William Lydgate. She began her career at Ernst & Young doing IT consulting, worked with the Small Business Administration, worked on land management in Kauai and recently went back to working in a credit union to manage the community development program, which represents mostly small business. Ms. Ige also sits on the Kauai Chamber of Commerce and heads the Agriculture Committee.

## 3. Staff's Small Business Outreach

Ms. Ariola attended a Federal Funds Summit sponsored by DBEDT which discussed applying for federal grants and learning how to qualify for the various grants that are offered. She thought it was quite interesting.

**VII. NEXT MEETING** – Thursday, August 15, 2024 at 10:00 a.m., via Zoom and in conference room 405 at Leiopapa A Kamehameha Building – State Office Tower – 235 S. Beretania Street, Honolulu, HI 96813.

**VIII. ADJOURNMENT** – Mr. Lee motioned to adjourn the meeting and Vice Chair Albitz seconded the motion; the meeting adjourned at 10:34 a.m.



### **III. New Business**

#### **A. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to HAR Title Subchapter 4, Petitions for Intervention, promulgated by Kauai Planning Department – County of Kauai**

PRE-PUBLIC HEARING SMALL BUSINESS IMPACT STATEMENT  
TO THE  
SMALL BUSINESS REGULATORY REVIEW BOARD  
(Hawaii Revised Statutes §201M-2)

Date: 7/5/2024

Department or Agency: Kauai Planning Department

Administrative Rule Title and Chapter: Chapter 4

Chapter Name: Petitions for Intervention

Contact Person/Title: Jodi Higuchi Sayegusa, Deputy Director

E-mail: jhiguchi@kauai.gov Phone: 808-241-4057

A. To assist the SBRRB in complying with the meeting notice requirement in HRS §92-7, please attach a statement of the topic of the proposed rules or a general description of the subjects involved.

B. Are the draft rules available for viewing in person and on the Lieutenant Governor's Website pursuant to HRS §92-7?

Yes  No

If "Yes," provide details: The draft rules are available for viewing in person at the Kauai Planning Department

I. Rule Description:

New  Repeal  Amendment  Compilation

II. Will the proposed rule(s) affect small business?

Yes  No

(If "No," no need to submit this form.)

\* "Affect small business" is defined as "any potential or actual requirement imposed upon a small business . . . that will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business." HRS §201M-1

\* "Small business" is defined as a "for-profit corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legal entity that: (1) Is domiciled and authorized to do business in Hawaii; (2) Is independently owned and operated; and (3) Employs fewer than one hundred full-time or part-time employees in Hawaii." HRS §201M-1

III. Is the proposed rule being adopted to implement a statute or ordinance that does not require the agency to interpret or describe the requirements of the statute or ordinance?

Yes  No

(If "Yes" no need to submit this form. E.g., a federally-mandated regulation that does not afford the agency the discretion to consider less restrictive alternatives. HRS §201M-2(d))

IV. Is the proposed rule being adopted pursuant to emergency rulemaking? (HRS §201M-2(a))

Yes  No

(If "Yes" no need to submit this form.)

\* \* \*

**If the proposed rule affects small business and are not exempt as noted above, please provide a reasonable determination of the following:**

1. Description of the small businesses that will be required to comply with the proposed rules and how they may be adversely affected.

These rules could impact small businesses to the extent small businesses are impacted by zoning permit applications and wish to be able to become a party/intervenor to advocate for their interests. In addition, small businesses may be impacted when third party intervenors wish to become involved in permit decision involving small businesses.

2. In dollar amounts, the increase in the level of direct costs such as fees or fines, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance.

Filing fee for a petition to intervene will increase from \$25 to a proposed \$300.

Indirectly, the amendments will result in cost savings with greater clarity on who or how to file for petitions to intervene.

If the proposed rule imposes a new or increased fee or fine:

- a. Amount of the current fee or fine and the last time it was increased.

\$25 filing fee was imposed in 2014.

- b. Amount of the proposed fee or fine and the percentage increase.

\$300 filing fee is proposed.

- c. Reason for the new or increased fee or fine.

The increase was designed to cover the administrative expenses associated with processing and hearing petitions to intervene.

- d. Criteria or methodology used to determine the amount of the fee or fine (i.e., Consumer Price Index, Inflation rate, etc.).

Comparison with other jurisdictions (Maui has a \$828 petition filing fee) and a rough calculation of an average of over \$900 to process, file, distribute, and hear petitions to intervene between staff and Planning Commission.

3. The probable monetary costs and benefits to the agency or other agencies directly affected, including the estimated total amount the agency expects to collect from any additionally imposed fees and the manner in which the moneys will be used.

The monies will be collected and deposited in the General Fund, which will in turn support the department's budgetary needs including additional positions and increases in pay to support personnel.

4. The methods the agency considered or used to reduce the impact on small business such as consolidation, simplification, differing compliance or reporting requirements, less stringent deadlines, modification of the fines schedule, performance rather than design standards, exemption, or other mitigating techniques.

We believe the amendments clarify who may qualify to intervene in zoning permit decisions before the Planning Commission. Also, the amendment clarifies that intervention must be decided upon prior to the initiation of the public hearing for zoning permits. These amendments should result in a reduction on the impact to zoning permit applicants including small businesses as well as allow clarity for petitioners who seek to intervene.

5. The availability and practicability of less restrictive alternatives that could be implemented in lieu of the proposed rules.

Aside from the clarification regarding who and how to intervene, we considered lowering the filing fees. However, as a whole, an increase to fees may be required across all Planning Department and Commission rules and regulations to match pay increases for the various union collective bargaining units as well as offset increasing litigation and petitions to intervene for zoning permits before the Planning Commission.

6. Consideration of creative, innovative, or flexible methods of compliance for small businesses. The businesses that will be directly affected by, bear the costs of, or directly benefit from the proposed rules.

Again, we believe the changes will result in greater efficiency for zoning permit applications before the Planning Commission.

7. How the agency involved small business in the development of the proposed rules.

We will provide ample time to hear and amend the proposal as required by keeping open the public hearing for at least 3 months.

- a. If there were any recommendations made by small business, were the recommendations incorporated into the proposed rule? If yes, explain. If no, why not.

We are open to amendment to accommodate requests by small businesses.

8. Whether the proposed rules include provisions that are more stringent than those mandated by any comparable or related federal, state, or county standards, with an explanation of the reason for imposing the more stringent standard.

The amendments are consistent with comparable county and state commission rules involving petitions to intervene. The amendments will result in greater clarity on who or how to intervene on zoning permits before the Kauai Planning Commission.

If yes, please provide information comparing the costs and benefits of the proposed rules to the costs and benefits of the comparable federal, state, or county law, including the following:

- a. Description of the public purposes to be served by the proposed rule.
  
  
- b. The text of the related federal, state, or county law, including information about the purposes and applicability of the law.
  
  
- c. A comparison between the proposed rule and the related federal, state, or county law, including a comparison of their purposes, application, and administration.
  
  
- d. A comparison of the monetary costs and benefits of the proposed rule with the costs and benefits of imposing or deferring to the related federal, state, or county law, as well as a description of the manner in which any additional fees from the proposed rule will be used.
  
  
- e. A comparison of the adverse effects on small business imposed by the proposed rule with the adverse effects of the related federal, state, or county law.

\* \* \*

Small Business Regulatory Review Board / DBEDT

Phone: (808) 586-2594 / Email: [DBEDT.sbrrb.info@hawaii.gov](mailto:DBEDT.sbrrb.info@hawaii.gov)

This Statement may be found on the SBRRB Website at: <http://dbedt.hawaii.gov/sbrrb/resources/small-business-impact-statements>

## Subchapter 4 Intervention

- § 1-4-1 Applicability
- § 1-4-2 Petition Filing
- § 1-4-3 Contents of Petition to Intervene
- § 1-4-4 Multiple Petitioners and Intervenors
- § 1-4-5 Arguments For or Against Intervention
- § 1-4-6 Action on Petition for Intervention

### SUBCHAPTER 4

#### PETITION TO INTERVENE

##### 1-4-1 Applicability.

(a) All departments and agencies of the state and the county shall be admitted as parties upon timely application for intervention.

(b) A person who demonstrates an actual or threatened injury that is fairly traceable to the applicant's action, for which the Commission maintains authority to provide redress, may be admitted as Parties-Intervenors upon timely written application for intervention in conformity with these Rules.

(c) The Commission may deny an application to intervene when in the Commission's or Hearing Officer's sound discretion it appears that:

- (1) the position or interest of the applicant for intervention is substantially the same as a party-already admitted to the proceeding;
- (2) the admission of additional Parties-Intervenors will render the proceedings inefficient and unmanageable; or
- (3) the intervention will not aid in the development of a full record and will overly broaden issues.

(d) Upon admission of any intervenor, the Planning Department shall be automatically admitted as a party to the contested case.

(e) In no case shall intervention be allowed for appeals from actions of the Director pursuant to Subchapter 9 of these Rules, matters over which the Commission exercises only advisory functions, or the Planning Department exercises only ministerial functions.

##### 1-4-2 Petition Filing.

(a) Petitions to intervene shall be in writing and conform with these Rules.

(b) The petition for intervention with Certificate of Service shall be filed with the Commission no less than seven (7) days prior to the first public hearing for which notice to the public has been published pursuant to law or no later than four (4) days prior to the first public hearing for matters that do not require notice by publication.

(c) Untimely petitions for intervention will not be accepted except for good cause or excusable neglect shown, but in no event will intervention be permitted after the Commission has taken the final vote on the matter. A finding of good cause or excusable neglect will depend upon the circumstances and will be determined at the discretion of the Commission.

- (1) Good cause is a sufficient reason beyond the control of the petitioner including acts of God.
- (2) Excusable neglect is due to extenuating circumstances within the control of the petitioner. Carelessness, ignorance of the rules, and deliberate or willful conduct do not constitute excusable neglect.

(d) A Certificate of Service shall verify and attest that all papers filed with the petition for intervention were served upon the applicant, Office of the County Attorney, and Planning Department in accordance with Section 1-3-3 of these Rules.

(e) Petitions for intervention shall be accompanied by a non-refundable filing and processing fee of \$300.00. In the event the petition for intervention is denied, such fees shall not be reimbursed.

#### 1-4-3 Contents of Petition to Intervene.

(a) The petition shall contain the following:

- (1) The nature of Petitioner's statutory or other right;
- (2) The nature and extent of petitioner's interest and if an affected property owner, provide the Tax Map Key description of the affected property;
- (3) The specific issues to be raised or contested by the Petitioner in the Contested Case hearing; and
- (4) The effects of any decision in the Proceeding on Petitioner's interest.

(b) If applicable, the petition shall also refer to the following:

- (1) Other means available whereby Petitioner's interest may be protected;
- (2) Extent Petitioner's interest may be represented by existing parties;
- (3) Extent Petitioner's interest in Proceeding differs from that of the

other parties;

- (4) Extent Petitioner's participation can assist in, development of a complete record;
- (5) Extent Petitioner's participation will broaden the issue or delay the Proceeding; and
- (6) How the Petitioner's intervention would serve the public interest.

#### 1-4-4 Multiple Petitioners and Intervenors.

(a) Multiple Petitioners. Petitioners deemed by the Commission to have similar intervention requests may be consolidated as a single Party represented by a single counsel or agent.

(b) Multiple Intervenors. If more than one intervenor is admitted to a contested case proceeding, the Hearing Officer or Commission may require intervenors to assign responsibilities between themselves for the examination and cross-examination of witnesses. The Hearing Officer or Commission shall have the right to impose reasonable subject matter limitations and time limitations on examination and cross-examination of witnesses, whether parties are represented by counsel.

#### 1-4-5 Arguments For or Against Intervention.

(a) The petitioner shall be given an opportunity to argue on behalf of the petition to the Commission. The other parties shall then be given an opportunity to comment on or oppose the petition.

(b) If any party opposes the petition for intervention, the party shall file their motion opposing the petition as soon as practicable or state the objections for the record.

#### 1-4-6 Action on Petition for Intervention.

(a) All petitions to intervene or in opposition to such intervention shall be reviewed and a decision rendered by the Commission prior to the commencement of the first public hearing.

(b) The Commission shall issue a written decision upon its denial of a petition for intervention.

(c) A person whose petition to intervene has been denied may appeal such denial to the circuit court pursuant to chapter 91-14, HRS, as amended.



## CHAPTER 4

### INTERVENTION PROCEEDINGS BEFORE THE PLANNING COMMISSION

1-4-1 Who May Intervene. All Persons who have hold interest in the land, who lawfully reside on the land, or who otherwise can demonstrate that they will be so directly and immediately affected by the proposed application that their interest in the Proceeding is clearly distinguishable from that of the general public, shall be admitted as Parties-Intervenors upon timely written application for intervention. In no such case shall intervention be allowed for appeals of actions from the Director pursuant to Chapter 9 of these Rules.

1-4-2 Intervention: Grounds for Denial. Leave to intervene may be granted, except in matters over which the Commission exercises only advisory functions, provided that the Commission or its Hearing Officer, if one is appointed, may deny an application to intervene when in the Commission's or Hearing Officer's sound discretion it appears that:

- (1) the position of the applicant for intervention concerning the proposal is substantially the same as the position of a Party-Intervenor already admitted to the proceeding;
- (2) the admission of additional Parties-Intervenors will render the proceedings inefficient and unmanageable; or
- (3) the intervention will not aid in the development of a full record and will overly broaden issues.

1-4-3 Method of Filing: Timing. Petitions to intervene shall be in writing and in conformity with these Rules. The petition for intervention with certificate of service shall be filed with the Commission at least seven (7) days prior to the Agency Hearing for which notice to the public has been published pursuant to law. Untimely petitions for intervention will not be permitted except for good cause shown.

1-4-4 Contents of Petition. The petition shall state:

- (1) The nature of Petitioner's statutory or other right.
- (2) The nature and extent of petitioner's interest and if an affected property owner, provide the Tax Map Key description of the affected property.
- (3) The specific issues to be raised or contested by the Petitioner in the Contested Case hearing.
- (4) The effects of any decision in the Proceeding on Petitioner's interest.

If applicable, the petition shall also make reference to the following:

- (5) Other means available whereby Petitioner's interest may be protected.
- (6) Extent Petitioner's interest may be represented by existing parties.
- (7) Extent Petitioner's interest in Proceeding differs from that of the other parties.
- (8) Extent Petitioner's participation can assist in, development of a complete record.
- (9) Extent Petitioner's participation will broaden the issue or delay the Proceeding.
- (10) How the Petitioner's intervention would serve the public interest.

1-4-5 Consolidation of Parties. Petitioners deemed by the Commission to have similar intervention requests may be consolidated as a single Party represented by a single counsel or agent.

1-4-6 Filing Fees. Petitions for intervention shall be accompanied by a filing fee of \$25.00. In the event the petition for intervention is denied, such fees shall be reimbursed.

1-4-7 Arguments For or Against Intervention. The Petitioner for intervention shall be given an opportunity to argue on behalf of the petition to the Commission. The other Parties shall then be given an opportunity to comment on or oppose the petition. If any Party opposes the petition for intervention, the Party shall file objections thereto as soon as practicable or state the objections for the record.

1-4-8 Action. All petitions to intervene or in opposition to such intervention shall be reviewed and a decision rendered by the Commission prior to the commencement of the hearing.

1-4-9 Denial of Intervention. Upon denial or an intervention petition by the Commission, the Commission shall issue a written decision.

#### **IV. Old Business**

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed New HAR Title 19 Subtitle 5 Motor Vehicle Safety Office, Chapter 152 State Highway Enforcement Program, promulgated by Department of Transportation (DOT)**

**SMALL BUSINESS STATEMENT**  
**“AFTER” PUBLIC HEARING TO THE**  
**SMALL BUSINESS REGULATORY REVIEW BOARD**  
(Hawaii Revised Statutes (HRS), §201M-3)

**Department or Agency:** \_\_\_\_\_

**Administrative Rule Title and Chapter:** \_\_\_\_\_

**Chapter Name:** \_\_\_\_\_

**Contact Person/Title:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_ **Date:** \_\_\_\_\_

A. To assist the SBRRB in complying with the meeting notice requirement in HRS §92-7, please attach a statement of the topic of the proposed rules or a general description of the subjects involved.

B. Are the draft rules available for viewing in person and on the Lieutenant Governor’s Website pursuant to HRS §92-7?

**Yes**       **No**

(If “Yes,” please provide webpage address and when and where rules may be viewed in person. Please keep the proposed rules on this webpage until after the SBRRB meeting.)

**I. Rule Description:**     **New**     **Repeal**     **Amendment**     **Compilation**

**II. Will the proposed rule(s) affect small business?**

**Yes**       **No** (If “No,” no need to submit this form.)

\* “Affect small business” is defined as “any potential or actual requirement imposed upon a small business . . . that will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business.” HRS §201M-1

\* “Small business” is defined as a “for-profit corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legal entity that: (1) Is domiciled and authorized to do business in Hawaii; (2) Is independently owned and operated; and (3) Employs fewer than one hundred full-time or part-time employees in Hawaii.” HRS §201M-1

**III. Is the proposed rule being adopted to implement a statute or ordinance that does not require the agency to interpret or describe the requirements of the statute or ordinance?**

**Yes**       **No**

(If “Yes” no need to submit this form. E.g., a federally-mandated regulation that does not afford the agency the discretion to consider less restrictive alternatives. HRS §201M-2(d))

**IV. Is the proposed rule being adopted pursuant to emergency rulemaking? (HRS §201M-2(a))**

**Yes**       **No**

(If “Yes” no need to submit this form.)

**V. Please explain how the agency involved small business in the development of the proposed rules.**

- a. **Were there any recommendations incorporated into the proposed rules? If yes, explain. If not, why not?**

**VI. If the proposed rule(s) affect small business, and are not exempt as noted above, please provide the following information:**

1. A description of how opinions or comments from affected small businesses were solicited.
  
2. A summary of the public's and small businesses' comments.
  
3. A summary of the agency's response to those comments.
  
4. The number of persons who:
  - (i) Attended the public hearing:
  - (ii) Testified at the hearing:
  - (iii) Submitted written comments:
  
5. Was a request made at the hearing to change the proposed rule in a way that affected small business?  
 **Yes**     **No**
  - (i) If "Yes," was the change adopted?     **Yes**     **No**
  - (ii) If No, please explain the reason the change was not adopted and the problems or negative result of the change.

Small Business Regulatory Review Board / DBEDT  
Phone: (808) 586-2594 / Email: [DBEDT.sbrrb.info@hawaii.gov](mailto:DBEDT.sbrrb.info@hawaii.gov)  
This statement may be found on the SBRRB Website at:

<http://dbedt.hawaii.gov/sbrrb-impact-statements- pre-and-post-public-hearing>

## Small Business Regulatory Review Board

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### MEETING MINUTES September 21, 2023

#### ZOOM RECORDING

- I. **CALL TO ORDER:** Chair Albitz called the meeting to order at 10:00 a.m., with a quorum present.

**MEMBERS PRESENT:**

- Mary Albitz, Chair
- Jonathan Shick, 2<sup>nd</sup> Vice Chair
- Garth Yamanaka
- Sanford Morioka
- Tessa Gomes
- Mark Ritchie

**ABSENT MEMBERS:**

- Robert Cundiff, Vice Chair
- Dr. Nancy Atmospera-Walch
- William Lydgate
- James (Kimo) Lee

**STAFF:** DBEDT

Dori Palcovich  
Jet'aime Ariola

Office of the Attorney General

Alison Kato

II. **APPROVAL OF August 17, 2023 MINUTES**

Mr. Ritchie motioned to accept the August 17, 2023 meeting minutes, as amended. Second Vice Chair Shick seconded the motion and the Board unanimously agreed.

III. **NEW BUSINESS**

- A. Discussion and Action on Proposed Amendments to HAR Title 13 Chapter 109, Rules for Establishing Forest Stewardship, promulgated by Department of Land and Natural Resources (DLNR)

Ms. Tanya Rubenstein, Cooperative Management Forester, from DLNR's Division of Forestry and Wildlife (DFW), presented an overview of the division's program. The presentation encompassed explaining what the forest stewardship program is, who participates in the program, objectives of the management plan along with incentives and examples of its practices, the purpose of participating in the program, and the types of forest stewardship projects.

Also discussed was the forest stewardship advisory committee and its role, the internal procedures for landowners, and the purpose and reasons for the proposed amendments. The Board of Land and Natural Resources approved DFW to proceed with the rule proposal in August. It was confirmed that this voluntary program, which has not been amended since 1999, will have a positive small business impact, which will help the state's ecological-tourism

## September 21, 2023 Meeting Minutes

companies. The proposed amendments are also intended to be more streamlined and user-friendly for landowners.

Regarding an inquiry into the cost of the program, it was noted that the implementation of new projects has been nil due to the pandemic; as such, the state legislature will be approached in 2024 to request needed funds for the forestry budget. There is also a possibility of receiving federal grant funds. As to the question about taking out invasive species, Ms. Rubenstein acknowledged that there is a management practice called “weed control” which is used prior to planting plants to assist with controlling invasive species.

Second Vice Chair Shick motioned to move the proposed amended rules to public hearing. Chair Albitz seconded the motion, and the Board members unanimously agreed.

### B. Discussion and Action on Proposed Amendments to HAR Title 4 Chapter 71, Plant and Non-Domestic Animal Quarantine Non-Domestic Animal Import Rules, promulgated by Department of Agriculture (DoAg)

Mr. Christopher Kishimoto, Entomologist from DoAg, explained that the proposed amendment is to assist DLNR’s Division of Aquatic Resources, which is the primary agency responsible for putting the northern large-mouth bass on the list of restricted animals. The purpose of this request is for a one-time import to perform testing to determine whether the bass can be safely released into Wahiawa public fishing area to help add diversity to the existing population already in existence.

Second Vice Chair Shick motioned to move the proposed amended rules to public hearing. Mr. Morioka seconded the motion, and the Board members unanimously agreed.

### C. Discussion and Action on Proposed New HAR Title 19 Subtitle 5 Chapter 152, State Highway Enforcement Program, promulgated by Department of Transportation (DOT)

Ms. Laura Manuel, DOT’s Highway Safety Specialist, explained that the purpose of this new rule is to establish the state’s highway enforcement program, which adds a surcharge to illegal parking to existing penalties for violations of the state traffic code. This involves stopping, standing, and parking on state highways.

Fifty percent of the state’s highway surcharge will be deposited into the state’s highway fund with the remaining balance distributed to the respective police departments of the county from which the surcharge was collected. The funds will be used to enforce laws and ordinances pertaining to illegal parking on state highways.

Although there was no apparent impact on small business, one potential impact may be, for example, if a landscaping company performing work on the highway is parked on the side of the highway and receives a violation for doing so. Ms. Manuel added that the new rule was prompted by alleged problems on the Island of Kauai where cars were illegally parked along state highways, specifically at state parks.

Chair Albitz motioned to move the proposed rules to public hearing. Mr. Ritchie seconded the motion, and the Board members unanimously agreed.

D. Discussion and Action on Proposed Amendments to HAR Chapter 15 Chapter 23, Makai Area Rules, promulgated by Department of Business, Economic Development and Tourism (DBEDT)

Mr. Craig Nakamoto, Executive Director of DBEDT's Hawaii Community Development Authority (HCDA) presented the members with an overview of the rule amendments. The presentation explained HCDA's history, which began in 1976, and its original purpose which was to redevelop Kakaako Community Development Center; since that time, other districts have been added.

The objectives of the proposed rules are to: 1) reflect the 2006 Act 317 ban on residential development; 2) incorporate the community-lead Kakaako Makai Conceptual Master Plan from 2011, and 3) streamline permitting and increase consistency with the latest processes in Kakaako Mauka, which was last updated in 1995.

Overall, the rule amendments are intended to bring consistency with definitions and remove obsolete language, update window requirements, simplify land use categories, remove outdated references, and bring processes in line with current laws and rules that are more user-friendly.

Stakeholders at the public hearing would likely include both private and public landowners, particularly those from the Makai area, Office of Hawaiian Affairs, Bishop Estates as well as the general community having an interest in keeping the Makai area more open. Second Vice Chair Shick noted that there does not appear to be a negative impact on small businesses; the biggest impact is the flat fee of \$200, which will offset staff time.

Mr. Ritchie motioned to move the proposed rules onto the public hearing. Second Vice Chair Shick seconded the motion, and the Board members unanimously agreed.

**IV. LEGISLATIVE MATTERS**

A. Review of final proposed Administrative Bill, "Relating to the Small Business Regulatory Review Board"

The proposed bill clarifies that this Board has the authority to review legislation affecting small businesses in response to a request from small business owners.

Ms. Palcovich noted that the Governor's legislative team reviewed the proposal and had no concerns or questions. As such, the bill will be included in the Governor's 2024 Administrative Package.



DEPARTMENT OF TRANSPORTATION

Adoption of Chapter 19-152  
Hawaii Administrative Rules

Adoption Date (Month Day, Year)

SUMMARY

Chapter 19-152, Hawaii Administrative Rules, entitled  
"State Highway Enforcement Program", is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 19

DEPARTMENT OF TRANSPORTATION

SUBTITLE 5

MOTOR VEHICLE SAFETY OFFICE

CHAPTER 152

STATE HIGHWAY ENFORCEMENT PROGRAM

§19-152-1	Purpose
§19-152-2	Definitions
§19-152-3	Applicability
§19-152-4	State highway enforcement program and establishment
§19-152-5	State highway enforcement annual reports
§19-152-6	Noncompliance with stopping, standing, or parking requirements
§19-152-7	Severability

**§19-152-1 Purpose.**

The purpose of this chapter is to establish the state highway enforcement program, which adds a surcharge for illegal parking to existing penalties for violations of the statewide traffic code that involve stopping, standing or parking on state highways. Fifty per cent of the surcharge shall be deposited into the state highway fund, while the remaining balance shall be distributed to the respective police departments of the county from which the surcharge was collected and shall be used to

§19-152-2

enforce laws and ordinances pertaining to illegal parking on state highways.

[Eff \_\_\_\_\_] (Auth: HRS §291C-111, SLH (2019), ACT 250) (Imp: HRS §291C-111, SLH (2019), ACT 250)

**§19-152-2 Definitions.** As used in this chapter:

"Community Groups" means organization aimed at making desired improvements to a community's social health, well-being, and overall functioning.

"County" the City and County of Honolulu, County of Hawaii, County of Kauai, or County of Maui.

"County Official" means one who administers the rules of a county.

"Curb Markings" means color and/or text placed on the curb, or on the pavement where no curb exists to indicate parking regulations.

"Department of transportation" means state department of transportation.

"Director of transportation" means state director of transportation or an authorized representative.

"Driver" means every person who drives or is in actual physical control of a vehicle.

"Highway" means the entire width between the boundary lines of every way publicly maintained and private streets when any part thereof is open to the use of the public for purposes of vehicular travel.

"Illegal Parking" means not according to or authorized by law to bring a vehicle to a stop and keep standing at the edge of a public way.

"Jurisdiction" means the power, right, or authority to interpret and apply the law.

"Law Enforcement" means the department of people who enforces laws, investigate crimes, and make arrests.

"Ordinance" means a law set forth by a county.

"Parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

"Police Department" means a governmental department concerned with the administration of the police force.

"Police Officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

"Private Highway" means every highway in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

"Public Way" means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

"State" means State of Hawaii

"Statewide Traffic Code" means Chapter 291C of the Hawaii Revised Statutes.

"Surcharge" means an additional tax, cost, or impost.

"T-Shaped Intersection" means an intersection with three approaches.

"Traffic Control" means all signs, signals, markings, and devices not inconsistent with Chapter 291C of the Hawaii Revised Statutes placed or erected by authority or with the consent of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

"Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including mopeds and bicycles, but excluding toy bicycles, devices other than bicycles moved by human power, and devices used exclusively upon stationary rails or tracks.

§19-152-5

[Eff \_\_\_\_\_ HRS §291C-111, SLH (2019),  
ACT 250 ] Auth: HRS §291C-  
111, SLH (2019), ACT 250

**§19-152-3 Applicability.** This chapter shall be applicable to highways under the jurisdictions specified in 19-152-6. [Eff \_\_\_\_\_ ] (Auth: HRS §291C-111, SLH (2019), ACT 250) (Imp: HRS §291C-111, SLH (2019), ACT 250)

**§19-152-4 State Highway Enforcement Program and Establishment.** There is established the state highway enforcement program within the department of transportation for administrative purposes. The purpose of the state highway enforcement program is to enable the State and counties, in consultation with the director of transportation, to:

- (1) Enforce violations for illegal parking under section 291C-111(c); and
- (2) Provide for parking management improvements.

Implementation of the state highway enforcement program shall include partnering with law enforcement, other state departments, other county agencies, and community groups to increase health and safety along state highways.

[Eff \_\_\_\_\_ ] (Auth: HRS §291C-111, SLH (2019), ACT 250) (Imp: HRS §291C-111, SLH (2019), ACT 250)

**§19-152-5 State highway enforcement report.** The director of transportation shall submit an annual report to the legislature on the status and progress of the state highway enforcement program, including update of all moneys deposited into and expended from

the state highway fund, on behalf of the state highway enforcement program no later than twenty days prior to the convening of each regular legislative session.

[Eff \_\_\_\_\_ ] (Auth HRS §291C-111(c), SLH (2019), ACT 250) (Imp: HRS §291C-111(c), SLH (2019), ACT 250)

**§19-152-6 Non compliance with stopping, standing or parking requirements.** Section 291C-111, Hawaii Revised Statutes, was amended by SLH (2019), ACT 250 to read as follows:

(a) With respect to highways under their respective jurisdictions, the director of transportation is authorized to and the counties by ordinance may prohibit or restrict the stopping, standing, or parking of vehicles where the stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would interfere unduly with the free movement of traffic; provided that the violation of any law or any ordinance, regardless of whether established under this or any other section, prohibiting or restricting the stopping, standing, or parking of vehicles shall constitute a traffic infraction. The counties shall not provide any other penalty, civil or criminal, or any other charge, in the form of rental or otherwise, in place of or in addition to the fine to be imposed by the district court for any violation of any ordinance prohibiting or restricting the stopping, standing, or parking of vehicles.

This section shall not be construed as prohibiting the authority of the director of transportation or the counties to allow the stopping, standing, or parking of motor vehicles at a "T-shaped" intersection on highways under their respective jurisdictions; provided that such stopping, standing, or parking of motor vehicles is not dangerous to those using the highway or where the stopping, standing, or

parking of motor vehicles would not unduly interfere with the free movement of traffic.

The appropriate police department and county or prosecuting attorney of the various counties shall enforce any law or ordinance prohibiting or restricting the stopping, standing, or parking of vehicles, including but not limited to the issuance of parking tickets. Any person committing a violation of any law or ordinance, regardless of whether established under this or any other section, prohibiting or restricting the stopping, standing, or parking of vehicles shall be subject to a fine to be enforced and collected by the district courts of this State and to be deposited into the state general fund for state use.

(b) The director of transportation, the counties, and owners of private highways, with the consent of county official responsible for traffic control with respect to highways under their respective jurisdictions shall place signs or curb markings that are clearly visible to an ordinary observant person prohibiting or restricting the stopping, standing, or parking of vehicles on the highway. Such signs or curb markings shall be official signs and markings and no person shall stop, stand, or park any vehicle in violation of the restrictions stated on such signs or markings.

(c) Any person committing a violation of any law or ordinance prohibiting or restricting the stopping, standing, or parking of vehicles on state highways or designated county highways shall be charged, in addition to any other applicable penalties and fines, a state highway enforcement program surcharge of \$200 to be enforced and collected by the district courts and to be deposited into the state highway fund; provided that fifty per cent of each surcharge collected shall be disbursed to the police department of the county in which the violation occurred.

[Eff ] (Auth: HRS §291C-111, SLH (2019), ACT 250) (Imp: HRS §291C-111, SLH (2019), ACT 250, SLH (2023), HB NO 118 SD 2)

**§19-152-7 Severability.** If any provision of this chapter is held invalid, the invalidity shall not affect the remaining provisions of this chapter. [Eff] (Auth: HRS §291C-111, SLH (2019), ACT 250) (Imp: HRS §291C-111, SLH (2019), ACT 250)



Chapter 19-152, Hawaii Administrative Rules, on the Summary Page dated Month xx, 2023 was adopted on Month xx, 2023 following a public hearing held on Month xx, 2023, after public notice was given on Month xx, 2023 in the Honolulu Star Advertiser, The Maui News, The Garden Island, The Hawaii Tribune-Herald, and The West Hawaii Today.

The adoption of chapter 19-152 shall take effect ten days after filing with the Office of the Lieutenant Governor.

APPROVED:

\_\_\_\_\_  
EDWIN H. SNIFFEN  
Director of Transportation

\_\_\_\_\_  
JOSH GREEN, M.D.  
Governor  
State of Hawaii

Dated: \_\_\_\_\_

\_\_\_\_\_  
Filed

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy Attorney General

## **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, Hawaii Revised Statutes (HRS)**

1. Review and Update of Board's "Discussion Leader Assignments" for the State and County Agencies' Hawaii Administrative Rules
2. Update and Discussion on Becker Communications Inc., regarding the Board's Small Business Outreach – *No Attachment*
3. Presentations to Industry Associations – *No Attachment*
4. Staff's Small Business Outreach – *No Attachment*

# DISCUSSION LEADER ASSIGNMENTS

(SBRRB / SBRRB / Members / DiscussionLeaderAssignments 2024)

## **1. Office of the Governor ..... <http://governor.hawaii.gov>**

Address: Governor Josh Green, M.D.  
Executive Chambers  
State Capitol  
Honolulu, HI 96813

Phone: (808) 586-0034  
Fax: (808) 586-0006

**Discussion Leader: Robert Cundiff**  
**Back-up Discussion Leader: Mary Albitz**

## **2. Office of the Lieutenant Governor ..... <http://ltgov.hawaii.gov>**

Address: Lieutenant Governor Sylvia Luke  
State Capitol, Fifth Floor  
Honolulu, HI 96813

Phone: **Oahu/** (808) 586-0255  
**Maui/** 984-2400 ext. 60255  
**Hawaii/** 974-4000 ext. 60255  
**Kauai/** 274-3141 ext. 60255  
**Molokai/Lanai/** 1(800) 468-4644 ext. 60255  
Fax: (808) 586-0231

**Discussion Leader: Mary Albitz**  
**Back-up Discussion Leader: Garth Yamanaka**

## **3. Department of Accounting & General Services ..... <http://ags.hawaii.gov>**

Address: Keith Regan, Comptroller  
Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, HI 96813

Phone: (808) 586-0400  
Fax: (808) 586-0775  
Email: dags@hawaii.gov

**Discussion Leader: Mark Ritchie**  
**Back-up Discussion Leader: Mary Albitz**

## **4. Department of Agriculture ..... <http://hdoa.hawaii.gov>**

Address: Sharon Hurd, Chairperson  
Board of Agriculture  
1428 South King Street  
Honolulu, HI 96814

Phone: (808) 973-9550  
Fax: (808) 973-9613  
Email: hdoa.info@hawaii.gov

**Discussion Leader: Will Lydgate**  
**Back-up Discussion Leader: James Kimo Lee**

## **5. Department of the Attorney General ..... <http://ag.hawaii.gov>**

Address: Anne Lopez, Attorney General  
Hale Auhau  
425 Queen Street  
Honolulu, HI 96813

Phone: (808) 586-1282  
Fax: (808) 586-1239

**Discussion Leader: Will Lydgate**  
**Back-up Discussion Leader: Robert Cundiff**

**6. Department of Budget & Finance ..... <http://budget.hawaii.gov>**

Address: Luis Salaveria, Director Phone: (808) 586-1518  
P.O. Box 150 Fax: (808) 586-1976  
Honolulu, HI 96810 Email: HI.BudgetandFinance@hawaii.gov

**Discussion Leader: Mark Ritchie**  
**Back-up Discussion Leader: Garth Yamanaka**

**7. Public Utilities Commission..... <http://puc.hawaii.gov>**

Address: Leo R. Asuncion, Jr., Chair Phone: (808) 586-2020  
Kekuanaoa Building Fax: (808)586-2066  
465 South King Street, Room 103 Email: puc@hawaii.gov  
Honolulu, HI 96813

**Discussion Leader: Tessa Gomes**  
**Back-up Discussion Leader: Jonathan Shick**

**8. Department of Business, Eco Dev. & Tourism..... <http://dbedt.hawaii.gov>**

Address: James Tokioka, Director Phone: (808) 586-2355  
P.O. Box 2359 Fax: (808) 586-2377  
Honolulu, HI 96804 Email: dbedt.director@hawaii.gov

**Discussion Leader: Robert Cundiff**  
**Back-up Discussion Leader: Will Lydgate**

**9. Department of Commerce & Consumer Affairs..... <http://cca.hawaii.gov>**

Address: Nadine Ando, Director Phone: (808) 586-2850  
335 Merchant Street Fax: (808) 586-2856  
Honolulu, HI 96813 Email: dcca@dcca.hawaii.gov

**Discussion Leader: Tessa Gomes**  
**Back-up Discussion Leader: TBD**

**10. Department of Defense..... <http://dod.hawaii.gov>**

Address: Major General Kenneth Hara, Phone: (808) 733-4246  
Office of the Adjutant General Fax: (808) 733-4499  
3949 Diamond Head Road  
Honolulu, HI 96816

**Discussion Leader: Jonathan Shick**  
**Back-up Discussion Leader: Mark Ritchie**

**11. Department of Education..... <http://hawaiipublicschools.org>**

Address: Keith Hayashi, Superintendent  
1390 Miller Street  
Honolulu, HI 96813

Phone: (808) 586-3230  
Fax: (808) 586-3314  
Email: doe\_info@hawaiidoe.org

**Discussion Leader: Nancy Atmospera-Walch**  
**Back-up Discussion Leader: TBD**

**12. Department of Hawaiian Home Lands..... <http://dhhl.hawaii.gov>**

Address: Kali Watson, Chairperson  
P.O. Box 1879  
Honolulu, HI 96805

Phone: (808) 620-9501  
Fax: (808) 620-9529  
Email: dhhl.hawaii@gmail.com

**Discussion Leader: James Kimo Lee**  
**Back-up Discussion Leader: Garth Yamanaka**

**13. Department of Health..... <http://health.hawaii.gov>**

Address: Dr. Kenneth Fink, MD, Director  
1250 Punchbowl Street  
Honolulu, HI 96813

Phone: (808) 586-4410  
Fax: (808) 586-4368  
Email: webmail@doh.hawaii.gov

**Discussion Leader: Sanford Morioka**  
**Back-up Discussion Leader: Mary Albitz**

**14. Department of Human Resources Development..... <http://hrd.hawaii.gov>**

Address: Brenna Hashimoto, Director  
235 South Beretania Street, Suite 1400  
Honolulu, HI 96813

Phone: (808) 587-1100  
Fax: (808) 587-1106  
Email: dhrd@hawaii.gov

**Discussion Leader: Sanford Morioka**  
**Back-up Discussion Leader: Nancy Atmospera-Walch**

**15. Department of Human Services..... <http://humanservices.hawaii.gov>**

Address: Cathy Betts, Director  
P.O. Box 339  
Honolulu, HI 96809-0339

Phone: (808) 586-4993  
Fax: (808) 586-4890  
Email: dhs@dhs.hawaii.gov

**Discussion Leader: Nancy Atmospera-Walch**  
**Back-up Discussion Leader: Sanford Morioka**

**16. Department of Labor & Industrial Relations..... <http://labor.hawaii.gov>**

Address: Jade Butay, Director  
830 Punchbowl Street  
Honolulu, HI 96813

Phone: (808) 586-8844  
Fax: (808) 586-9099  
Email: dlr.director@hawaii.gov

**Discussion Leader: Mary Albitz**  
**Back-up Discussion Leader: Tessa Gomes**

**17. Department of Land and Natural Resources..... <http://dlnr.hawaii.gov>**

Address: Dawn Chang, Chairperson  
Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, HI 96813

Phone: (808) 587-0401  
Fax: (808) 587-0390  
E-mail: dlnr@hawaii.gov

**Discussion Leader: Jonathan Shick**  
**Back-up Discussion Leader: TBD**

**18. Department of Public Safety..... <http://dps.hawaii.gov>**

Address: Tommy Johnson, Director  
919 Ala Moana Boulevard, 4<sup>th</sup> Floor  
Honolulu, HI 96814

Phone: (808) 587-1288  
Fax: (808) 587-1282  
Email: psd.office.of.the.director@hawaii.gov

**Discussion Leader: Jonathan Shick**  
**Back-up Discussion Leader: William Lydgate**

**19. Department of Taxation..... <http://tax.Hawaii.gov>**

Address: Gary Suganuma, Interim Director  
P.O. Box 259  
Honolulu, HI 96809-0259

Phone: (808) 587-1540  
Fax: (808) 587-1560  
Email: Tax.Directors.Office@hawaii.gov

**Discussion Leader: Garth Yamanaka**  
**Back-up Discussion Leader: Will Lydgate**

**20. Department of Transportation..... <http://hidot.hawaii.gov>**

Address: Ed Sniffen, Director  
Aliiaimoku Building  
869 Punchbowl Street, Room 509  
Honolulu, HI 96813

Phone: (808) 587-2150  
Fax: (808) 587-2167

**Discussion Leader: James Kimo Lee**  
**Back-up Discussion Leader: Sanford Morioka**

**21. University of Hawaii..... <http://www.hawaii.edu>**

Address: David Lassner, President  
Bachman Hall, Room 202  
2444 Dole Street  
Honolulu, HI 96822

Phone: (808) 956-7651  
Email: david@hawaii.edu

Address: Lee Putnam, Chair, Board of Regents  
Bachman Hall, Room 209  
2444 Dole Street  
Honolulu, HI 96822

Phone: (808) 956-8213  
Fax: (808) 956-5156  
Email: bor@hawaii.edu

**Discussion Leader: Nancy Atmospera-Walch**  
**Back-up Discussion Leader: Mark Ritchie**

**22. City and County of Honolulu..... <http://www.honolulu.gov/>**

Address: **Rick Blangiardi, Mayor**  
530 South King Street, Room 300  
Honolulu, HI 96813

Phone: (808) 768-4141

**Discussion Leader: Jonathan Shick**  
**Back-up Discussion Leader: Tessa Gomes**

**23. County of Maui..... <https://www.mauicounty.gov/>**

Address: **Richard T. Bissen, Jr., Mayor**  
200 S. High St.  
Kalana O Maui Bldg 9th Fl.  
Wailuku, HI 96793

Phone: (808) 270-7855

**Discussion Leader: Mary Albitz**  
**Back-up Discussion Leader: James Kimo Lee**

**24. County of Hawai'i..... <https://www.hawaiicounty.gov/>**

Address: **Mitch Roth, Mayor**

Phone: (808) 961-8211

**East Hawai'i**  
25 Aupuni Street  
Hilo, HI 96720

**West Hawai'i**  
74-5044 Ane Keohokalole Highway  
Bldg C  
Kailua-Kona, HI 96740

Phone: (808) 323-4444

**Discussion Leader: Garth Yamanaka**  
**Back-up Discussion Leader: James Kimo Lee**

25. County of Kaua'i.....<https://www.kauai.gov/Mayor>

Address: **Derek S.K. Kawakami, Mayor**  
4444 Rice St., Suite 235  
Lihue, HI 96766

Phone: (808) 241-4900  
Email:mayor@kauai.gov

**Discussion Leader: William Lydgate**  
**Back-up Discussion Leader: TBD**