

Small Business Regulatory Review Board Meeting

March 19, 2026

1:00 p.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
Website: sbrrb.hawaii.gov

Tel: 808 798-0737

AGENDA

Thursday, March 19, 2026 ★ 1:00 p.m.
Kalana O Maui Building
200 S. High Street, 9th Floor
Wailuku, Maui, HI 96793

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:

Kalana O Maui Building, 200 S. High Street, 9th Floor, Wailuku, Maui, HI; or

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

<https://us06web.zoom.us/j/88400776199?pwd=4wAvlu4if7kz65ioBZWDXgpG4KIKJ8.1>

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 you call 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 or mailed to SBRRB, No. 1 Capitol District Building, 250 S. Hotel Street, Room 506, Honolulu, HI 96813, or P.O. Box 2359, Honolulu, HI 96804. The Board requests that written testimony be received by Wednesday, March 18, 2026, 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 \(hawaii.gov\)](#) and in-person at 250 South Hotel Street, Room 506, Honolulu, HI 96813 during regular business hours. 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.

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

Sanford Morioka
Vice Chairperson
O'ahu

Mary Albitz
2nd Vice Chairperson
Maui

James (Kimo) Lee
Hawai'i

Leelen Park
Hawai'i

Tessa Gomes
O'ahu

Cynthia Hobson
O'ahu

Nikki Ige
Kaua'i

Dr. Jennifer Salisbury
Maui

Director, DBEDT
Voting Ex Officio

- I. **Call to Order**
- II. **Welcome Remarks by Honorable Maui Mayor Richard Bissen, Jr.**
- III. **Approval of February 19, 2026 Meeting Minutes**
- IV. **New Business**
 - A. Discussion and Action on the Small Business Impact Statement to Proposed New Temporary Hawaii Administrative Rules (HAR) Title 11 Chapter 60.1, **Air Pollution Control**, promulgated by Department of Health – *Discussion Leader – Sanford Morioka*
- 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. Simplifying Permitting for Enhanced Economic Development (SPEED) Task Force’s most recent meeting pursuant to Act 133 to identify actions taken challenges encountered, and legislative measures necessary to facilitate, expediate, and coordinate state and intergovernmental permit processes; and appropriates funds
 2. Becker Communications Inc., regarding the Board’s Small Business Outreach
 3. Presentations to Industry Associations
 4. Staff’s Small Business Outreach
- VI. **Legislative Matters**
 - A. Discussion and Action on the following legislative matters:
 1. **Senate Bill 2263 SD1 – Relating to Business Competitiveness** – Establishes a goal for the State to achieve a ranking among the top 10 states in the nation for business competitiveness by 2045. Establishes a ranking metric and interim goals. Requires the Department of Business, Economic Development, and Tourism to establish a working group to develop and recommend policies that improve Hawaii’s business competitiveness. Requires annual reports to Legislature. Appropriates moneys.
 2. **House Bill 1964 HD1 Relating to the State Building Code Council** – Requires the State Building Code Council to provide annual training to state and county permitting agency employees. Appropriates funds for the training, subject to a matching requirement from the counties.
 3. **House Bill 1967 HD1 Relating to Permitting** – Requires the Department of Business, Economic Development, and Tourism to develop a permitting workforce pipeline in partnership with the University of Hawaii and community colleges and coordinate with state and county permitting agencies on certain tasks related to classification levels, salary and benefits, hiring and responsibilities of employees. Appropriates funds.
 4. **House Bill 2606 HD2 Relating to Off-Site Construction** – Establishes a working group within the State Building Code Council to develop proposals for an off-site construction program. Appropriates funds.
 - B. Update on the following legislative matters:
 1. **House Bill 2603 HD1 – Relating to Permits** – Establishes specific deadlines within the facilitated application process to obtain a permit and requires the Department of Business, Economic Development, and Tourism to establish

certain resources and processes to help streamline permit applications.

Authorizes the Department of Transportation to select projects to participate in the facilitated application process.

2. **House Bill 1612 HD1 – Relating to Economic Development** – Establishes a business competitiveness goal for the State to achieve a ranking of being in the top thirty states in the United States for business climate by 2045, with interim goals. Requires the Department of Business, Economic Development, and Tourism to submit annual reports on progress in meeting the business competitive goals. Appropriates funds.
3. **Governor’s Message 612** Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **Leelen Park**, for a term to expire June 30, 2029
4. **Governor’s Message 613** Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **Cynthia Hobson**, for a term to expire June 30, 2029

VII. Next Meeting: Thursday, April 16, 2026 at 10:00 a.m., held via Zoom and at 250 South Hotel Street – No. 1 Capitol District Building, Conference Rm 436, Honolulu, HI 96813

VIII. 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 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. Welcome Remarks by Honorable Maui Mayor
Richard Bissen, Jr**

III. Approval of February 19, 2026 Meeting Minutes

Small Business Regulatory Review Board

MEETING MINUTES - **DRAFT** February 19, 2026

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

MEMBERS PRESENT:

- Jonathan Shick, Chair
- Mary Albitz, Second Vice Chair
- Dr. Jennifer Salisbury
- David Sikkink
- James (Kimo) Lee
- Nicolle Ige
- Leelen Park
- Cynthia Hobson

ABSENT MEMBERS:

- Sanford Morioka, Vice Chair
- Tessa Gomes

STAFF: DBEDT

Dori Palcovich
Jet'aime Ariola

Office of the Attorney General

Alison Kato

II. **APPROVAL of JANUARY 15, 2026 MINUTES**

Mr. Park motioned to approve the January 15, 2026 meeting minutes as presented. Mr. Lee seconded the motion and the Board members unanimously agreed.

III. **OLD BUSINESS**

- A. Re-review and Action on the Small Business Impact Statement and Proposed Amendments to the following, promulgated by Department of Land and Natural Resources (DLNR)

Mr. David Sakuda, Fisheries Program Manager at DLNR's Division of Aquatic Resources (DAR), provided a comprehensive summary of the subject rule proposal, which had previously been presented to this Board during the November 2025 board meeting.

The summary presentation included background information, an outline of this Board's request for additional information, and stakeholder scoping. The Board's request entailed: 1) an environmental impact statement; 2) biological impact report; 3) cultural impact report; 4) studies on how much fish come out of the farm-raised industry versus wild collection; 5) economic costs for enforcement; and 6) five-year study from the Legislature. The presentation also included DLNR's findings on the review of data and fisheries management.

Mr. Sakuda clarified that this Board is not being asked to determine reopening the fisheries as this is the purview of the Land Board through the issuance of permits. This Board is tasked with determining whether the proposed rules will have a significant and economic impact on small businesses.

In addition to receiving several written testimonies, in-person and virtual testifiers attended the meeting; below is a summary of the testimonies:

Mr. Mike Nakachi from Moana Ohana appreciated DAR's presentation but believed it was very flawed because many of the small businesses were not properly scoped and the project was rushed and pushed through. He requested that this measure be deferred until it is well-vetted with the business community.

Another testifier, Ms. U'ilani Naipo, stated that DAR never provided a cost analysis for maintaining the proposed fishery.

Testifier Mr. Shane Akoni Nelsen, Executive Director of Hoala Kealakehua Nui, noted that the public trust doctrine, which represents the ability to have socially responsible economic development in the community is, very important. He believes there is no truth that the fisheries industry will bring economic development back to the community. He urged this Board to pause the process and proceed with better consultation to receive additional information.

Testifier Ms. Tanya Aynessazian is a representative for the Sustainable Chamber of Commerce and HULI PAC, a Big Island group that supports business leaders, elected officials, and social consciousness. It is her group's belief that the agencies controlling these operations must ensure that there is an even-playing field that the community can thrive in.

Testifier Mr. Kekua Alip, who represented himself as well as a nonprofit organization, believes that more community input is needed regarding both the administrative rules and the ban on the fishery.

Testifier Mr. Randy Cates stated that he is an advocate for all fishers in Hawaii and has background in aquaculture. He encouraged the Board to ask DAR why it is not required to have an EIS (environmental impact statement).

Testifier Ms. Rene Umberger has been the Executive Director For The Fishes for the past nineteen years. She stands on the submitted written testimony to this Board, which among other reasons, states that DAR's small business impact statement provided to the Board does not satisfy the complete requirements of Chapter 201M, HRS.

Testifier Mr. Jerry Isham has been an aquarium fisherman his whole life; he supports the proposed rule package.

Testifier Mr. Jake Phillips from The Biotech Group, provided both written and verbal testimony stating that the small business impact statement was not properly measured. He hopes that this Board recognizes the significant impact on aquaculture businesses in Hawaii both in the present and in the future.

Testifier Ms. Kylie Wager Cruz, Senior Attorney with Earthjustice, represents community groups on issues regarding the aquarium trade for over a decade. She indicated that the EIS does not equal permit issuance. She requested that this Board redact emails of the commercial operators on PDF 25 of DAR's submittal to this Board and any other private information of these operators.

Testifier, Mr. Arthur Parola, Attorney representing the pet industry that includes both fishers and aquaculture, stated that in the long-term, all aquarium industries in Hawaii will suffer if the aquarium fishery is not allowed to open.

Testifier Mr. Eric Koke, a commercial fisher and dealer on the Big Island, stated that commercial fishers were able to fish until 2022. He believes that the scientific facts brought forth are beyond this Board's purview.

Testifier Ms. Kim stated that the premise discussed today goes back to the late 1990's, which was addressed in Act 306, and noted that there has been extensive outreach to the community.

Testifier Ms. Lisa Cates, providing both written and verbal testimony, requested that this Board consider whether the impacts of the aquarium fishery have been adequately evaluated, disclosed, and mitigated. She added whether the proposed rules governing the commercial aquarium would reduce harm to small businesses while still achieving regulatory objectives and the State's environmental goals, including sustainability and public trust. Thus, she asked that this Board move the rules forward to public hearing.

Testifier, Nick, who was an aquarium fisherman, testified in support of the fishermen and the aquarium industry which has provided jobs to the local community over the years. However, now that the fishery is closed, it has had a negative impact on the locals as well as the industry.

Testifier, Mr. Dave Ramos, an aquarium fisherman for 32 years indicated that the industry is important to the local families. He was not aware of DAR representatives coming into town and speaking about the rules and closing the industry; he is hoping that some middle ground can be found.

Testifier, Mr. Randy Fernley stated that he was one of the casualties of the aquarium fisheries shutdown. He supports the aquatic fishery re-opening because he believes it can be even more sustainable than it was in the past.

Testifier Manuel, CEO of the Biotech Group indicated that his company has been investing in research in Hawaii for years; these research papers are available to anyone who wants to review them.

In response to an inquiry by Ms. Ige about enforcement costs/fees, Mr. Sakuda explained that DAR reached out to get enforcement numbers. However, it is difficult to arrive at an exact count allocated to what could technically be an aquarium fishery. Thus, opening a fishery would not prove to be a sizeable cost, but enforcement responsibilities, which would be added to the regulations already being enforced and related to fishing and boating violations.

Due to a noticeable imbalance of fees from one industry to another, and lacking enforcement fees, Chair Shick suggested to Mr. Sakuda that one of the revisions to the rules might be to increase some of the fees on the aquarium collectors to help offset or contribute to enforcement costs.

Mr. Sakuda replied that the \$100 commercial license fee is the same as the fishermen's license fee. Thus, the \$100 proposed aquarium permit fee is consistent with other commercial fishing permits such as the specialty permits; i.e., commercial u'u permit, commercial kala permit, etc. Additional fees and permits would need to be legislatively mandated.

Mr. Kealii Sagum, Regulatory/Compliance Program Specialist, from DAR stated that the existing rules are very "open" with "take lists" on the books right now. The proposed rules would provide significant restrictions on what is currently allowed. When discussing the impact on small businesses, he noted that there have been numerous hours of discussions and countless testimonies from small businesses on the aquarium fishery issue.

1. Hawaii Administrative Rules (HAR) Title 13 Chapter 60.4 West Hawaii Regional Fishery Management Area, Hawaii

Chair Shick motioned with reservations to send these rules onto public hearing. Second Vice Chair Albitz seconded the motion, and the members unanimously agreed.

2. HAR Title 13 Chapter 75 Rules Regulating the Possession and Use of Certain Fishing Gear

Mr. Sakuda explained that changes to this rule are mostly housekeeping in nature as the primary substantive changes are in HAR 13-77.1.

Second Vice Chair Albitz motioned to move the proposed rule changes to public hearing. Ms. Ige seconded the motion, and the members unanimously agreed.

3. HAR Title 13 Chapter 77.1, Aquarium Fishery Management

Chair Shick motioned with reservations to send these rules onto public hearing with an understanding that DLNR extends additional industry outreach beyond the fisheries industry. Second Vice Chair Albitz seconded the motion, and the members unanimously agreed.

IV. NEW BUSINESS

- A. Discussion and Action on the Small Business Impact Statement and to Proposed New Hawaii Administrative Rules (HAR) Title 11 Chapter 220 Office of Language Access Rules of Practice and Procedures, promulgated by Department of Health (DOH)

Discussion leader and Second Vice Chair Albitz stated that DOH has indicated that the subject new rules do not have an impact on small business and requested that this Board review and confirm.

Mr. Edward Wada, Program Specialist at DOH's Office of Language Access (OLA), explained that this proposed HAR relates to OLA's online roster, which is entirely voluntary and of no cost. Anyone can utilize this online vehicle if they meet the specified criteria such as being 18 years of age and possessing specific training or certifications.

The primary compliance obligations, including the establishment of language access plans and the filing of semi-annual encounter reports, apply specifically to state agencies and covered entities, not to individual interpreters or translators. Based on this information, Mr. Wada concluded that the proposed rules do not impose mandatory compliance costs or restrictive barriers on the small business community of interpreters and translators. He believes they do not have a significant economic impact on small businesses.

Ms. Ige moved that the proposed new HAR Chapter 11-220 Office of Language Access Rules of Practice and Procedures, has no apparent small business impact. Mr. Park seconded the motion, and the members unanimously agreed.

B. Discussion and Action on the Small Business Impact Statement and Proposed Amendments to HAR Title 11 Chapter 55, Water Pollution Control, and Chapter 55 Appendices B, E, F, G, and K, promulgated by DOH

Mr. Reef Migita, Clean Water Branch (CWB) Engineering Supervisor at DOH, introduced his team members to discuss the proposed rule amendments. CWB governs water pollution permits in Hawaii and is authorized to oversee certain types of point source discharges, as well as storm water discharges to surface waters such as streams, lakes and oceans.

Chapter 55 describes the policies and requirements for the National Pollutant Discharge Elimination System (NPDES) program. It also incorporates twelve NPDES general permits which are codified as Appendices B through M. The five general permits (Appendices B, E, F, G, and K) that will expire January 14, 2027, were discussed by Mr. Migita. All small businesses who are regulated under NPDES permit program will be affected by the proposed rule changes. Dr. Salisbury noted that the NPDES is very "unforgiving" and was happy to see the proposed amendments.

Small business stakeholder outreach was performed January 12, 2026, through February 11, 2026. Over 350 emails were sent to existing permittees, government agencies and those on the public notice distribution list. Attendees at the 2026 Pacific Water Conference on February 12th were also notified that CWB was beginning this rule amendment process. Seven sets of comments were received on the rules' proposal; five of the comments referred to Appendix B.

Appendix B authorizes the discharge of storm water associated with industrial activities. While many of the regulated entities are larger businesses, small businesses may be required to apply for coverage under this Appendix. However, the rules are mandated by the Federal

Clean Water Act, and a majority of current and proposed rules are consistent with the EPA's own industrial storm water permit.

In some cases, when a small business is the permittee, they will bear costs related to pollution prevention and compliance. Overall, however, DOH does not expect the proposed revisions to have an adverse impact on small business.

Mr. Lee moved to send the proposed rules to public hearing. Second Vice Chair Albitz seconded the motion, and the members unanimously agreed.

C. Discussion and Action on the Small Business Impact Statement to and proposed Amendments to HAR Title 11 Chapter 58.1 Solid Waste Management Control, promulgated by DOH

Ms. Lauren Cruz, Environmental Health Specialist from DOH's Solid and Hazardous Waste Branch, explained that the subject rules have not been updated in over 30 years. As a result, substantive changes are being proposed to be aligned with State Statutes and Federal regulations.

Many of the changes consist of adopting certain EPA rules that had not been adopted since 1984, adding new requirements and clarifying existing requirements for construction demolition landfills, clarifying closure requirements for other types of solid waste facilities, and clarifying and adding some post-closure environmental corrective actions for special wasteland fills.

Some changes that may impact small businesses include changes to the permit program as permit operation fees will be increased from \$25 to \$125. Because the fees have not been increased in 30 years, the increase is justifiable due to inflationary costs and because the fees will be better aligned with other state permit fees.

DOH is required to propose that salvaging activities be conducted on services such as concrete; this will affect one existing small business. As a result, the language in the rule was revised to allow one impacted business sufficient time to become compliant with the new ruling. This is so the cost to the business will be spread out over time instead of incurring one large expense. In addition, a few permit exemptions are being removed, and a few are being added.

In response to Second Vice Chair Albitz's question about the duration of increased permit fees, Ms. Cruz responded that DOH is expecting to increase fees every five years. It was appreciated that DOH representatives reached out to the stakeholders for feedback.

Mr. Lee moved to send the proposed rules to public hearing. Ms. Ige seconded, and the members unanimously agreed.

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. Simplifying Permitting for Enhanced Economic Development (SPEED) Task Force's most recent meeting pursuant to Act 133 to identify actions taken, challenges encountered, and legislative measures necessary to facilitate, expediate, and coordinate state and intergovernmental permit processes; and appropriates funds

Dr. Salisbury noted that there is a lot of legislation going on for bills pertaining to SPEED. DBEDT staff is keeping track of the SPEED-related bills and will place them on the Board's March agenda.

2. Discussion and Update of the Board's Maui Island meeting scheduled for March 19, 2026 – including Mayor's Proclamation and Presentation

The members were provided with an update on planning for the Board's March 19th board meeting on Maui, including coordination with the Mayor's Office, and travel and timing logistics.

Ms. Ariola requested everyone planning to attend the Maui meeting to provide her with their travel plans as soon as possible.

3. Becker Communications Inc., regarding the Board's Small Business Outreach

DBEDT staff is currently working with Becker Communications on drafting and approving a press release for the Board's March board meeting. Also, a March 11th meeting is scheduled with DBEDT staff and Becker Communications.

4. Presentation to Industry Associations

Nothing was reported.

5. Staff's Small Business Outreach

Ms. Ariola stated that she is planning to attend Ag Day at the State Capitol on February 26th and Tourism Day on March 13th.

VI. LEGISLATIVE MATTERS

A. Discussion and Action on the following:

1. House Bill 1612 – Relating to Economic Development – Establishes a business competitiveness goal for the State to achieve a ranking of being in the top thirty states in the United States for business climate by 2045, with interim goals. Requires the Department of Business, Economic Development, and Tourism to

submit annual reports on progress in meeting the business competitive goals. Appropriates funds.

Chair Shick motioned to support and provide testimony on House Bill 1612. Mr. Park seconded, and the members unanimously agreed.

2. Senate Bill 2263 – Relating to Business Competitiveness – Establishes a goal for the State to achieve a ranking among the top 10 states in the nation for business competitiveness by 2045. Establishes a ranking metric and interim goals. Requires the Department of Business, Economic Development, and Tourism to establish a working group to develop and recommend policies that improve Hawaii’s business competitiveness. Requires annual reports to Legislature. Appropriates moneys.

Chair Shick motioned to support and provide testimony on Senate Bill 2263. Mr. Lee seconded, and the members unanimously agreed.

3. Governor’s Message 612 – Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, Leelen Park, for a term to expire June 30, 2029

Chair Shick motioned to support and provide testimony on Governor’s Message 612 relating to Mr. Park’s nomination for the consideration and confirmation to the Small Business Regulatory Review Board. Mr. Lee abstained and the remaining members agreed.

4. Governor’s Message 613 – Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, Cynthia Hobson, for a term to expire June 30, 2029

Ms. Ige motioned to support and provide testimony on Governor’s Message 613 relating to Ms. Hobson’s nomination for the consideration and confirmation to the Small Business Regulatory Review Board. Mr. Park seconded, and the Board unanimously agreed.

VII. NEXT MEETING – Thursday, March 19, 2026 at 10:00 a.m., via Zoom and in-person at 200 S. High Street, Kalana O Maui Building, 9th Floor, Wailuku, HI 96793.

VIII. ADJOURNMENT – Mr. Park motioned to adjourn the meeting and Ms. Ige seconded the motion; the meeting adjourned at 12:35 p.m.

III. New Business

A. Discussion and Action on the Small Business Impact Statement to Proposed New Temporary HAR Title 11 Chapter 60.1, Air Pollution Control, promulgated by Department of Health - *Exhibit 1*

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

Date: 2/19/2026

Department or Agency: Department of Health, Clean Air Branch

Administrative Rule Title and Chapter: HAR Title 11, Department of Health, Chapter 60.1

Chapter Name: Air Pollution Control

Contact Person/Title: Jack Yebba

E-mail: jack.yebba@doh.hawaii.gov Phone: (808) 586-4200

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: _____

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.

Please see Enclosure 1 for the Pre-Public Hearing Small Business Impact Statement .

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.

Please see Enclosure 1 for the Pre-Public Hearing Small Business Impact Statement.

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.
- b. Amount of the proposed fee or fine and the percentage increase.
- c. Reason for the new or increased fee or fine.
- d. Criteria or methodology used to determine the amount of the fee or fine (i.e., Consumer Price Index, Inflation rate, etc.).

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.

Please see Enclosure 1 for the Pre-Public Hearing Small Business Impact Statement.

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.

Please see Enclosure 1 for the Pre-Public Hearing Small Business Impact Statement.

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

Please see Enclosure 1 for the Pre-Public Hearing Small Business Impact Statement.

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.

Please see Enclosure 1 for the Pre-Public Hearing Small Business Impact Statement.

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

Please see Enclosure 1 for the Pre-Public Hearing Small Business Impact Statement.

- 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.

Pre-Public Hearing Small Business Impact Statement
to the Small Business Regulatory Review Board (SBRRB)
Department of Health, Clean Air Branch
2026 Proposed Amendments to HAR Chapter 11-60.1

The Hawaii Department of Health, Clean Air Branch (CAB) is proposing amendments to Hawaii Administrative Rules (HAR) Chapter 11-60.1, Air Pollution Control. Pursuant to Hawaii Revised Statutes (HRS) Chapter 201M, Small Business Regulatory Flexibility Act, CAB is submitting this Small Business Impact Statement. While CAB has determined that the proposed changes will not cause a direct and significant economic burden upon a small business or impose provisions more stringent than comparable federal, state or county standards, the amendments may be directly related to the formation, operation, or expansion of a small business.

The proposed rule revisions appear in multiple parts of HAR Chapter 11-60.1: Subchapter 1, General Requirements, Subchapter 3, Open Burning, Subchapter 4, Noncovered Sources, and Subchapter 10, Field Citations. For small businesses, the relevant portions of the amendments are for written requests for administrative and judicial review of denied confidentiality claims in the general requirements subchapter, Agricultural Burning Permits (AGP) in the open burning subchapter, and those regarding motor vehicle provisions (e.g., visible motor vehicle smoke) in the field citations subchapter.

Regarding the amendment for addressing a denied confidentiality claim in HAR Chapter 11-60.1, Subchapter 1, this will only affect small businesses who claim confidentiality for records, reports, or other information and whose claim was denied by the director. The amendment to the current rules mandates a written request be sent to the director within twenty days of denial in order for the claim to be reviewed administratively and judicially.

For changes affecting the open burning regulations in HAR 11-60.1, Subchapter 3, an AGP allows agricultural operations, forest management, or range improvements to burn agricultural waste. The amendments further define the conditions under which a “no-burn” period shall be declared, which supersedes any AGP a small business may have until the “no-burn” period is declared over. In an average year, about 130 small businesses hold AGPs statewide.

The amendments to HAR 11-60.1, Subchapter 10 would allow a field citation, which is an expedited enforcement action, to be applied to individuals or companies who operate motor vehicles. This would apply to motor vehicle owners or operators caught emitting visible smoke while upon streets, roads, or highways, operating a vehicle in a loading zone parking or service area, route terminal, or other off-street area, or modifying and/or tampering with a vehicle’s air pollution control system.

Attachments SB-1 and SB-2 provide more detail on the proposed HAR amendments. Attachment SB-1 includes the summary of changes. The proposed amendments in Ramseyer format along with justification for the revisions are provided in Attachment SB-2. Although small businesses can be affected by the proposed rules, the likelihood of impact and/or actual impacts is considered to be remote or small.

In accordance with HRS §201M-2, CAB is providing a small business impact statement before the rules are submitted to the governor for approval for public hearing. This statement provides the following determinations:

A. The businesses that will be directly affected by, bear the costs of, or directly benefit from the proposed rules.

The proposed amendment related to public access to information in HAR, Chapter 11-60.1, Subchapter 1 will continue to affect any small business that receives a denied confidentiality claim. In accordance with HRS §201M-1, a small business means a for-profit enterprise consisting of fewer than 100 full-time or part-time employees.

Businesses affected by the proposed open burning amendments in HAR Chapter 11-60.1, Subchapter 3 would be those involved in agricultural operations, range improvement and forest management that apply for or have an existing AGP. These businesses should benefit from an improved understanding of the AGP application and approval process.

The proposed amendments to field citations in HAR Chapter 11-60.1, Subchapter 10 would affect any businesses that have company motor vehicles found to be in violation of rules set forth in §11-60.1-34(a), (b), (c), and (d).

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

The written request regarding denied confidentiality claims in HAR Chapter 11-60.1, Subchapter 1 only affect small businesses who have submitted the following documents to the CAB and have received a denied confidentiality claim regarding:

- (1) All permit applications;
- (2) All supporting information for permit applications;
- (3) Compliance plans and schedules;
- (4) Reports and results associated with performance tests and continuous emission monitors;
- (5) Ambient air monitoring data and emissions inventory data;
- (6) Certifications;
- (7) Any other information submitted to the department pursuant to the noncovered and covered source permit program;
- (8) Proposed GHG emission reduction plans;
- (9) Permits; and
- (10) Public comments or testimonies received during any public comment period or public hearing.

The amendment only requires that a written request be sent to the director within twenty days of the denial for administrative and judicial review of the claim.

The small businesses affected by the open burning amendments in HAR Chapter 11-60.1, Subchapter 3 include, but not limited to, farms, ranches, nurseries, and aquaculture enterprises. Included in this category are those entities whose purposes are for education or research.

The rule changes will not adversely affect small businesses with AGPs. The amendments would 1) allow firefighting training personnel greater flexibility in fire training, with prior notification to the director of health and 2) clarify when “no burn” periods are declared based off of meteorological conditions and National Ambient Air Quality Standards (NAAQS). Moreover, there would be no economic burden on the small business permittees and no changes to any of the fees pertaining to agricultural burning permits.

The addition of field citations to provisions in HAR Chapter 11-60.1, Subchapter 10 would adversely impact only those companies that are found to have a motor vehicle in violation of existing requirements specified in the rules. Field citations do not apply to AGP holders.

C. 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.

The addition of the new field citation categories could affect small businesses financially, but not necessarily adversely. Currently, for these types of violations, CAB can only issue an informal notice of violation (NOV), which does not include a fine, or a formal notice of violation and order (NOVO), which does include a fine. The proposed amendment would provide CAB a third option of issuing a field citation for all proposed cases.

A field citation may be viewed as a middle step that provides a measured and reasonable fine amount that is more substantial than an Informal Notice of Violation, yet not as time consuming and costly for all parties as filing a Formal Notice of Violation and Order.

The following table lists the proposed field citation penalties for the first and subsequent violations of the motor vehicle amendments in HAR Chapter 11-60.1, Subchapter 10. Penalty amounts for corresponding NOVOs would typically be much higher.

HAR Provision	Description	Penalty	
		First Violation	Subsequent Violation
§11-60.1 -34(a)	No person shall operate a gasoline-powered motor vehicle with emits visible smoke while upon streets, roads, or highways.	\$100	\$300

HAR Provision	Description	Penalty	
		First Violation	Subsequent Violation
§11-60.1 -34(b)	No person shall operate a diesel-powered motor vehicle which emits visible smoke for a period of more than five consecutive seconds while upon streets, roads, or highways.	\$100	\$300
§11-60.1 -34(c)	No person shall cause, suffer, or allow any engine to be in operation while the motor vehicle is stationary at a loading zone, parking or servicing area, route terminal, or other off-street areas, except: (1) During adjustment or repair of the engine at a garage or similar place of repair; (2) During operation of ready-mix trucks, cranes, hoists, and certain bulk carriers, or other auxiliary equipment built onto the vehicle or equipment that require power take-off from the engine, provided that there is no visible discharge of smoke and the equipment is being used and operated for the purposes as originally designed and intended. This exception shall not apply to operations of air conditioning equipment or systems; (3) During the loading or unloading of passengers, not to exceed three minutes; and (4) During the buildup of pressure at the start-up and cooling down at the closing down of the engine for a period of not more than three minutes.	\$100	\$300
§11-60.1 -34(d)	No person shall remove, dismantle, fail to maintain, or otherwise cause to be inoperative any equipment or feature constituting an operational element of the air pollution control system or mechanism of a motor vehicle as required by the provisions of the Act except as permitted or authorized by law.	\$250	\$500

Businesses that apply for an AGP are required to pay a fee, but the proposed rule changes in HAR Chapter 11-60.1, Subchapter 3 will not increase those fees or other costs.

D. The probable monetary costs and benefits to the implementing 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 money will be used.

There will be no additional fees charged to businesses and no monetary benefit to CAB.

The effect from the addition of field citation categories is uncertain but will likely balance out in the long run. It may result in a slight increase or decrease in the fines collected from enforcement actions. More medium-sized field citation fines could be offset by fewer large fines from formal NOVOs. Fines collected from field citation provisions in HAR Chapter 11-60.1, Subchapter 10 for unpermitted sources would go to the State Environmental Response Revolving Fund that is not related to CAB.

E. 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 any other mitigating techniques.

There will be little or no impact on any organization, including small businesses, that are not in violation of the existing rules, so no methods were considered.

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

On May 16, 2024, Ms. Catherine Lopez went before the SBRRB regarding amendments to HAR Title 11 Chapter 60.1, Air Pollution Control, before public hearing. These amendments involved removing the Emergency Affirmative Defense Provision due to EPA mandate and amending language for the open burning provisions. The SBRRB provided recommendations on May 17, 2024, with the board unanimously agreeing that there was no apparent small business impact for the proposed amendments. Presently, the Washington D.C. Circuit Court of Appeals has overruled the EPA's repeal of the Emergency Affirmative Defense Provision, requiring CAB to amend the HAR and reinstate the provision. Additionally, EPA has since commented on the open burning provisions requiring amendments for clarification of the language. Regarding amendments that have not been previously reviewed (public access to information/denied confidentiality claims, public notification of NAAQS exceedances, and field citations & associated penalties), CAB is requesting to attend the SBRRB meeting on February 19, 2026, for board review of all HAR amendments.

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

The proposed rules do not impose any stricter requirements than those that are already in place.

If you have any questions, please contact Mr. Jack Yebba of the Clean Air Branch, Department of Health at 586-4200 or CAB@doh.hawaii.gov.

Attachments SB-1 and SB-2

Rule Changes
Hawaii Administrative Rules, Title 11, Chapter 60.1
Air Pollution Control

Description and Purpose/Justification of the Proposed Amendments:

The table below details the proposed amendments to HAR, Chapter 11-60.1, Air Pollution Control (Chapter 11-60.1). Due to the extent of changes, the majority of the amendments are noted by citing the HAR subchapter and sections, rather than paraphrasing the exact rule amendment.

Title 11, Chapter 60.1 - Air Pollution Control	
Subchapter 1, General Requirements	
Section	Description and of Proposed Amendments
§11-60.1-1, Definitions.	
§11-60.1-1	Reinstates the definition of “ Emergency ”. Adds the definition of “ Immediate ” Removes the definition of “ CFR ”.
§11-60.1-13.5, Public notification of NAAQS exceedances.	
§11-60.1-13.5	Adds provision for public notification of exceedances in the National Ambient Air Quality Standards (NAAQS) to align with Clean Air (CAA) 110(a)(2)(J).
§11-60.1-14, Public access to information.	
11-60.1-14(f)	Requires a written request to the director for administrative and judicial review based on a denied confidentiality claim to maintain consistency with other sections in the HAR that requires a written request to the director for extensions, hearings, or approval.
§11-60.1-16, Prompt reporting of deviations.	
§11-60.1-16(a)	Reinstates the exception for the emergency provision in §11-60.1-16.
§11-60.1-16.5, Emergency provision.	
§11-60.1-16.5	The Washington D.C Circuit Court of Appeals ruled, as of September 5, 2025, to reinstate the emergency affirmative defense provision from Title V programs the EPA had previously ruled to remove.

Subchapter 3, Open Burning	
Section	Description and Purpose/Justification of Proposed Amendments
§11-60.1-52, General provisions.	
§11-60.1-52(c)	Retains a previously proposed section (c) outlining an exception for the training of firefighters regarding open burning restrictions.
§11-60.1-55, Agricultural burning or conditionally allowed open burning from subsection 11-60.1-52(e): "no-burn" periods.	
§11-60.1-55(b)	Retains a previously proposed section (b) adding clarity that the high winds will not inhibit the dispersion of air pollutants, but instead can contribute and add air pollutants in the form of particulate matter from dust and/or fire. In addition, a 24-hour PM _{2.5} NAAQS monitoring threshold will be specified for declaring no-burn periods to address comments from EPA on the amendments.
§11-60.1-55(c)	Includes monitoring as a resource to be unavailable before visibility can be used for determining a "no-burn" period. Adds a subsection (4) where an exceedance of the 24-hour PM _{2.5} NAAQS may be a reason why a "no-burn" period is declared when forecasting or monitoring is unavailable.
Subchapter 4, Noncovered Sources	
Section	Description and Purpose/Justification of Proposed Amendments
§11-60.1-62, Applicability	
§11-60.1-62(28)	Replaces the abbreviation "CFC" with the full term "Chlorofluorocarbon" as it was never defined in section §11-60.1-1
Subchapter 10, Field Citations	
Section	Description and Purpose/Justification of Proposed Amendments
§11-60.1-192, Offer to settle; penalties	
§11-60.1-192(a)&(b)	This amendment proposes to add four (4) violation categories in §11-60.1-192(a)&(b) and adjusts the subsection order. The proposed §11-60.1-192(a)(4),(5),(6), and (7) category, relates to violations of the subsections §11-60.1-34(a),(b),(c), and (d), respectively, regarding air pollution from gasoline or diesel-powered motor vehicles (e.g., visible smoke, idling, and the tampering/failure to maintain any part of the air pollution control system of a motor vehicle). A field citation provides a measured and reasonable fine amount that is more substantial than an Informal Notice of Violation, yet not as time consuming and costly for all parties as filing a Formal Notice of Violation and Order. Associated penalties for the new field citations are also being proposed.

Proposed Amendments with Justification by Section:

Attachment SB-2 contains the Ramseyer version of HAR, Chapter 11-60.1. [~~Bracketed and strike-out text~~] indicates “deleted” text, and underlined text indicates “added” text. Reference between the Ramseyer HAR version and this table is necessary to view the changes and purpose of change.

Items highlighted in gray are those for the emergency affirmative defense provision that will be reinstated instead of repealed. New proposed amendments are highlighted in yellow. Previously proposed amendments that will be retained for open burning are highlighted in green.

Subchapter 1, General Requirements

§11-60.1-1 Definitions...

~~["CFR" means the Code of Federal Regulations.]~~

Justification:

The definition of “CFR” highlighted in yellow will be removed from Chapter 11-60.1. All references to the Code of Federal Regulations in the main text are in its full, unabridged form, resulting in no abbreviations of “CFR”.

"Immediate" A delay of not more than 15 minutes.

Justification:

The definition of “Immediate” highlighted in yellow will be added to Chapter 11-60.1. Title V of the Clean Air Act does not provide a regulatory definition for "immediate," but in the context of emergencies and prompt reporting, it referred to the need for immediate corrective action to restore normal operation after an emergency and immediate reporting of deviations except for emergencies, which was often interpreted as a delay of 15 minutes or less after gaining knowledge of a release or situation. Regarding the emergency affirmative defense provision removal being overturned by the Washington D.C Circuit Court of Appeals, the need for prompt action during emergencies such as those described in section 11-60.1-16.5 are a critical aspect of emergency response and compliance with air permits.

[Note: The "Legislative History of the Superfund Amendments and Reauthorization Act of 1986" (Volume 2, October 1990, pp. 600-01), states that ordinarily, delays in making the required notifications should not exceed 15 minutes after the person in charge has knowledge of the release. Immediate notification requires shorter delays whenever practicable.]

"Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the owner or operator of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error, and shall not include an exceedance of a health-based emission limitation.

Justification:

The definition of "Emergency" highlighted in gray, previously proposed to be deleted, will now be retained. Due to the recent Washington D.C Circuit Court of Appeals ruling which overturned EPA's 2023 rule mandating the removal of the emergency affirmative defense provision from Title V programs, the revision adds back the definition of "Emergency" as described in section 11-60.1-1, Hawaii Administrative Rules specifically for the emergency affirmative defense provision.

§11-60.1-13.5 Public notification of NAAQS exceedances. (a) The department shall provide timely public notification whenever monitored ambient air quality data indicates that any NAAQS has been exceeded. The notification shall additionally advise the public of the health hazards associated with such exceedances, and of ways in which the public can participate in regulatory and other efforts to improve air quality and enhance public awareness of measures that can prevent such exceedances.

(b) Notification shall be posted on the Hawaii State Department of Health, Clean Air Branch website, and may include additional methods such as press releases or other appropriate public communication channels as determined by the director.

(c) Each notification shall identify:

- (1) The pollutant that exceeded the NAAQS;
- (2) The location and date of the exceedance; and
- (3) Contact information for further inquiries.

[eff and comp]

Justification:

Section 11-60.1-13.5 will be added to Chapter 11-60.1. CAA section 110 (a)(2)(j), referred to as Element J, requires an air agency's infrastructure SIP to include provisions for notifying the public when any NAAQS have been exceeded and the health hazards associated with any exceedances. Additionally, actions must be taken

to ensure public awareness of measures that can prevent exceedances and ways the public can participate in efforts to improve air quality. The amendment outlines how the Hawaii DOH will align with Element J.

§11-60.1-14 Public access to information

(f) Any person who has claimed confidentiality for records, reports, or other information and whose claim was denied by the director may obtain administrative review and subsequent judicial review of the denial pursuant to chapter 91, HRS, provided that a written request is submitted to the director not later than twenty days after the denial. Records which are the subject of a judicial review shall not be released until the judicial review is complete and only if the court authorizes such release.

Justification:

Requiring a written request to the director for administrative and judicial review based on a denied confidentiality claim maintains consistency with other sections in the HAR that require a written request to the director for extensions, hearings, or approval.

§11-60.1-16 Prompt reporting of deviations. (a) Except for emergencies which result in noncompliance with any technology-based emission limitation pursuant to section 11-60.1-16.5, in the event any emission unit, air pollution control equipment, or related equipment malfunctions or breaks down in such a manner as to cause the emission of air pollutants in violation of this chapter or a permit, the owner or operator shall immediately notify the department of the malfunction or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the malfunction or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. (b)

Justification:

Wording highlighted in gray in section 11-60.1-16, previously proposed to be deleted, will now be retained. The change includes exception for, and reference to, section 11-60.1-16.5 that will now be retained instead of repealed.

§11-60.1-16.5 Emergency provision. (a) An emergency constitutes an affirmative defense to any action brought for noncompliance with any technology-based emission limitation, if it

can be demonstrated to the director through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and the owner or operator of the source can identify the cause or causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of the emergency, the owner or operator of the source took all reasonable steps to minimize emission levels that exceeded the emission limitations or other requirements in the covered or noncovered source permit; and
- (4) The owner or operator of the source submitted written notice of the emergency to the director within two working days of the time when emission limitations were exceeded due to the emergency, provided that the notice contained a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any proceedings for enforcement action, the owner or operator of the source seeking to establish the occurrence of an emergency has the burden of proof.

(c) This emergency provision is in addition to any emergency or upset provision in any applicable requirement. [Eff and comp 9/15/01; comp 11/14/03, comp 1/13/12; comp 6/30/14; comp 02/08/24; comp] (Auth: HRS §§342B-3, 342B-12; 42 U.S.C. §§7407, 7416, 7661a; 40 C.F.R. Part 70) (Imp: HRS §§342B-3, 342B-12; 42 U.S.C. §§7407, 7416, 7661a; 40 C.F.R. Part 70)

Historical note: §11-60.1-16.5 is based substantially upon §11-60.1-97. [Eff 11/26/93; comp 10/26/98; R 9/15/01]

Justification:

HAR section 11-60.1-16.5 highlighted in gray will now be retained instead of repealed as proposed previously. Due to the Washington D.C Circuit Court of Appeals ruling, as of September 5, 2025, which reinstates the emergency affirmative defense provision from Title V programs the EPA had previously ruled to remove, the revision reinstates the emergency affirmative defense provision from HAR section 11-60.1-16.5,

Amendments to Subchapter 3 Open Burning

§11-60.1-52 General provisions. (a) Except as provided in subsections (b), (c), (d), (e) and section 11-

60.1-53, no person shall cause, permit, or maintain any open burning. Any open burning is the responsibility of the person owning, operating, or managing the property, premises, business establishment, or industry where the open burning is occurring. Subsections (b), (c), (d), (e) and section 11-60.1-53 shall not apply to the open burning of human remains or animal carcasses unless the activities fall under the exemptions found in paragraph (d)(2).

(b) Subsection (a) shall not apply to attended fires for the cooking of food provided that:

- (1) Only untreated dry wood, charcoal, natural or synthetic natural gas, butane, propane, or cooking fuel is used, and
- (2) If visible smoke enters any residence, business or public area, best practical measures to eliminate the smoke, including extinguishing the fire, are taken.

(c) Subsection (a) shall not apply to the ~~[following]~~ training of personnel in firefighting methods, provided that notification is given to the director prior to the commencement of any burn~~[-~~

~~[(1) Fires set to a building, structure or simulated aircraft for training personnel in firefighting methods].~~

Justification:

Changes to wording in section 11-60.1-52 highlighted in green will be retained as previously proposed. The wording was changed in HAR section 11-60.1-52 General Provisions (c), to allow for other training methods by not limiting firefighting training to only include buildings, structures, or aircraft.

§11-60.1-55 Agricultural burning or conditionally allowed open burning from subsection 11- 60.1-52(e): "no-burn" periods.

(a) Except as provided in subsection (f), no person, with or without an agricultural burning permit, shall cause or allow agricultural burning or conditionally allowed open burning from subsection 11-60.1-52(e) when a "no-burn" period has been declared by the director.

(b) "No-burn" periods shall be determined by current and forecasted weather conditions which could increase air pollutants or inhibit the dispersion of air pollutants and by 24-hour fine particulate matter NAAQS exceedances. A no-burn period may be

declared if unfavorable meteorological conditions such as high winds, temperature inversions and air stagnation are existing and forecasted to continue or deteriorate. A no-burn period may also be declared if ambient air quality monitoring indicates an exceedance of the 24-hour PM_{2.5} NAAQS or the concentrations specified in subsection §11-60.1-55(c) (3) on Oahu for CO and PM₁₀. The mandatory no-burn period will only apply to those counties or districts where the exceedance occurred and other areas impacting the real-time monitor measuring the exceedance. If forecasting or monitoring is unavailable, "no-burn" periods shall be determined based on visibility.

Justification:

Changes to wording in section 11-60.1-55 highlighted in green will be retained as previously proposed. High winds are already included in the no-burn provision, HAR 11-60.1-55(b). The amendment adds clarity that the high winds will not inhibit the dispersion of air pollutants, but rather can contribute and add air pollutants in the form of particulate matter from dust and/or fire. In addition to forecasting, a 24-hour PM_{2.5} NAAQS monitoring threshold will be specified for declaring no-burn periods to address comments from EPA on the amendments. Additions to amendments previously proposed in green are highlighted in yellow.

§11-60.1-55(c) Agricultural burning...

(c) Visibility shall be used as the basis for determining "no-burn" periods when forecasting or monitoring is not possible or not available. A "no-burn" call based on visibility shall be made under the following conditions:

- (1) When the director determines that meteorological conditions have resulted in widespread haze on any island or in any district on the island and that these meteorological conditions will continue or deteriorate. For the purposes of this section, widespread haze shall be considered to exist when all visible ridges:
 - (A) Within five to ten miles have a "smoky" or bluish appearance and colors are subdued; and
 - (B) Beyond ten miles have a blurred appearance;
- (2) When a "no-burn" period has been declared in a district and smoke from any adjacent district, as determined by the director, may impact on the affected district, the "no-burn" period shall apply to both districts. ~~and~~
- (3) On the island of Oahu either when the condition specified in paragraph (1) or (2) occurs or when meteorological conditions have resulted in a rise of the carbon monoxide level exceeding five mg/m³ for an eight-

hour average or the PM₁₀ level exceeding one hundred thirty five µg/m³ for twenty-four hours and when the director determines that these meteorological conditions will continue or deteriorate ~~;~~ or

- (4) When the condition specified in paragraph (1) or (2) occurs or when in any county or district where ambient air quality monitoring indicates an exceedance of the 24-hour PM_{2.5} NAAQS and when the director determines that the meteorological conditions contributing to the rise of fine particulate matter will continue or deteriorate.

Justification:

Adds the exceedance of the 24-hour PM_{2.5} NAAQS as an additional reason for declaring a no-burn period when forecasting is unavailable to align with subsection (b) of section 11-60.1-55 for addressing EPA comments on the amendments for declaring no-burn periods.

Subchapter 4, Noncovered Sources

§11-60.1-62(28) Applicability..

(28) Air conditioning or ventilating systems not designed to remove air pollutants generated by or released from equipment, and that do not involve the open release or venting of ~~[CFC]~~chlorofluorocarbons into the atmosphere;

Justification:

The abbreviation for chlorofluorocarbon, "CFC", highlighted in yellow will be removed as it was never defined in section 11-60.1-1. A definition of CFC is not necessary as this is the only reference to chlorofluorocarbon in Chapter 11-60.1.

Subchapter 10, Field Citations

§11-60.1-192(a) Offer to settle; penalties

- (4) Operates a gasoline-powered motor vehicle which emits visible smoke while upon streets, roads, or highways, in violation of subsection 11-60.1-34(a);
- (5) Operates a diesel-powered motor vehicle which emits visible smoke for a period of more than five consecutive seconds while upon streets, roads, or highways, in violation of subsection 11-60.1-34(b);
- (6) Causes, suffers, or allows any engine to be in operation while the motor vehicle is stationary at a loading zone, parking or servicing area, route terminal, or other off

- street area in violation of subsection 11-60.1-34(c);
- (7) Removing, dismantling, failing to maintain, or otherwise cause to be inoperative any equipment or feature constituting an operational element of the air pollution control system or mechanism of a motor vehicle as required by the provisions of the Act in violation of subsection 11-60.1-34(d);
- ~~[(4)]~~ (8) Causes or allows open burning in violation of subsection 11-60.1-52(a);
- ~~[(5)]~~ (9) Fails to comply with the notification requirement for fires found in subsection 11-60.1-52(c);
- ~~[(6)]~~ (10) Fails to comply with any approved condition or requirement for fires described in subsection 11-60.1-52(d);
- ~~[(7)]~~ (11) Fails to comply with any approved condition or requirement for fires described in subsection 11-60.1-52(e) and allowed under subsections 11-60.1-52(f) and 11-60.1-55;
- ~~[(8)]~~ (12) Fails to comply with any condition found in a permittee's agricultural burning permit, in violation of the specific condition found in the permittee's applicable agricultural burning permit;
- ~~[(9)]~~ (13) Fails to comply with any condition or requirement found in a permittee's noncovered source permit, in violation of the specific condition or requirement found in the permittee's applicable noncovered source permit;
- ~~[(10)]~~ (14) Fails to comply with any condition or requirement found in a permittee's covered source permit, in violation of the specific condition or requirement found in the permittee's applicable covered source permit;
- ~~[(11)]~~ (15) Fails to obtain a noncovered source permit, in violation of subsection 11-60.1-62(a); or
- ~~[(12)]~~ (16) Fails to obtain a covered source permit, in violation of subsection 11-60.1-82(a).

Justification:

A field citation provides a measured and reasonable fine amount that is more substantial than an Informal Notice of Violation, yet not as time consuming and costly for all parties as filing a Formal Notice of Violation and Order. This amendment proposes to add four (4) violation categories in §11-60.1-192(a) and adjusts the subsection order. The **proposed §11-60.1-192(a)(4),(5),(6), and (7)** category, relates to violations of the subsections §11-60.1-34(a),(b),(c), and (d), respectively, regarding air pollution from gasoline or diesel-powered motor vehicles (e.g., visible smoke, idling, and the tampering/failure to maintain any part of the air pollution control system of a motor vehicle).

§11-60.1-192(b) Offer to settle; penalties

(4) Any person who violates paragraph (a) (4) shall be fined \$100 for a first violation, and \$300 for a subsequent violation.

(5) Any person who violates paragraph (a) (5) shall be fined \$100 for a first violation, and \$300 for a subsequent violation.

(6) Any person who violates paragraph (a) (6) shall be fined \$100 for a first violation, and \$300 for a subsequent violation.

(7) Any person who violates paragraph (a) (7) shall be fined \$250 for a first violation, and \$500 for a subsequent violation.

~~(8)~~ (8) Any person who violates paragraph (a) ~~(8)~~ shall be fined \$100 for a first violation, and \$300 for a subsequent violation.

~~(9)~~ (9) Any person who violates paragraph (a) ~~(9)~~ shall be fined \$250 for a first violation, and \$500 for a subsequent violation.

~~(10)~~ (10) Any person who violates paragraph (a) ~~(10)~~ shall be fined \$250 for a first violation, and \$500 for a subsequent violation.

~~(11)~~ (11) Any person who violates paragraph (a) ~~(11)~~ shall be fined \$250 for a first violation, and \$500 for a subsequent violation.

~~(12)~~ (12) Any person who violates paragraph (a) ~~(12)~~ shall be fined \$250 for a first violation, and \$500 for a subsequent violation.

~~(13)~~ (13) Any person who violates paragraph (a) ~~(13)~~ shall be fined \$500 for a first violation, and \$1,000 for a subsequent violation.

~~(14)~~ (14) Any person who violates paragraph (a) ~~(14)~~ shall be fined \$750 for a first violation, and \$1,500 for a subsequent violation.

~~(15)~~ (15) Any person who violates paragraph (a) ~~(15)~~ shall be fined \$750 for a first violation, and \$1500 for a subsequent violation.

~~(16)~~ (16) Any person who violates paragraph (a) ~~(16)~~ shall be fined \$1000 for a first violation, and \$2000 for a subsequent violation.

Justification:

This amendment sets forth additional monetary penalties for each of the new violation categories found in §11-60.1-192(b) and adjusts the subsection order.

IV. 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. Simplifying Permitting for Enhanced Economic Development (SPEED) Task Force's most recent meeting pursuant to Act 133 to identify actions taken challenges encountered, and legislative measures necessary to facilitate, expediate, and coordinate state and intergovernmental permit processes; and appropriates funds
2. Becker Communications Inc., regarding the Board's Small Business Outreach
3. Presentations to Industry Associations
4. Staff's Small Business Outreach

V. Legislative Matters

A. Discussion and Action on the following legislative matters:

1. **Senate Bill 2263 SD1 – Relating to Business Competitiveness** – Establishes a goal for the State to achieve a ranking among the top 10 states in the nation for business competitiveness by 2025. Establishes a ranking metric and interim goals. Requires the Department of Business, Economic Development, and Tourism to establish a working group to develop and recommend policies that improve Hawaii’s business competitiveness. Requires annual reports to Legislature. Appropriates moneys.
2. **House Bill 1964 HD1 Relating to the State Building Code Council** – Requires the State Building Code Council to provide annual training to state and county permitting agency employees. Appropriates funds for the training, subject to a matching requirement from the counties.
3. **House Bill 1967 HD1 Relating to Permitting** – Requires the Department of Business, Economic Development, and Tourism to develop a permitting workforce pipeline in partnership with the University of Hawaii and community colleges and coordinate with state and county permitting agencies on certain tasks related to classification levels, salary and benefits, hiring and responsibilities of employees. Appropriates funds.
4. **House Bill 2606 HD2 Relating to Off-Site Construction** – Establishes a working group within the State Building Code Council to develop proposals for an off-site construction program. Appropriates funds.



Hawai'i State Legislature

Ka 'Aha'olelo Moku'āina 'O Hawai'i

SB2263 SD1

Measure Title: RELATING TO BUSINESS COMPETITIVENESS.

Report Title: DBEDT; Business Competitiveness; Business Climate Improvement Working Group; Reports; Appropriation (\$)

Description: Establishes a goal for the State to achieve a ranking among the top 10 states in the nation for business competitiveness by 2045. Defines and requires the Department of Business, Economic Development, and Tourism to select a "ranking metric" and establishes interim goals. Requires DBEDT to establish a working group to develop and recommend policies that improve Hawai'i's business competitiveness. Requires annual reports to Legislature. Appropriates funds. Effective 7/1/2050. (SD1)



Companion:

Package: None

Current Referral: EDT, WAM

Introducer(s): DECOITE, CHANG, HASHIMOTO, LAMOSAO, RICHARDS, Fukunaga, Inouye, Kanuha, McKelvey, Moriwaki, Wakai

Sort by Date

Status Text

2/12/2026 S Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.

2/12/2026 S Reported from EDT (Stand. Com. Rep. No. 2207) with recommendation of passage on Second Reading, as amended (SD 1) and referral to WAM.

2/5/2026 S The committee(s) on EDT recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in EDT were as follows: 3 Aye(s): Senator(s) DeCoite, Fukunaga, Fevella; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) Wakai, Kim.

2/2/2026	S	The committee(s) on EDT has scheduled a public hearing on 02-05-26 1:00PM; Conference Room 229 & Videoconference.
1/26/2026	S	Referred to EDT, WAM.
1/21/2026	S	Introduced and passed First Reading.
1/15/2026	S	Pending Introduction.

S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SB2263 SDI



A BILL FOR AN ACT

RELATING TO BUSINESS COMPETITIVENESS.

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

1 SECTION 1. The legislature finds that Hawaii ranks among
2 the least competitive states for business in national
3 assessments. For example, CNBC's "America's Top States for
4 Business" listing, which scores each state using one hundred
5 thirty-five metrics in ten broad categories of competitiveness,
6 ranked Hawaii fiftieth in 2024 and forty-ninth in 2025.

7 The legislature finds that Hawaii's low ranking in the CNBC
8 "America's Top States for Business" listing and similar rankings
9 elsewhere is due to the challenges that Hawaii businesses face,
10 which include high regulatory burdens and slow governmental
11 processes. These issues collectively hinder economic growth and
12 threaten Hawaii's long-term prosperity.

13 The legislature further finds that the business
14 revitalization task force, established by Act 142, Session Laws
15 of Hawaii 2024, was formed to identify strategies to improve
16 Hawaii's business climate. The task force recommended the
17 creation of a permanent framework to advance business



1 competitiveness through sustained policy development and
2 stakeholder engagement.

3 Accordingly, the purpose of this Act is to:

4 (1) Establish a statutory goal for the State to achieve a
5 ranking among the top states in the nation for
6 business competitiveness by the year 2045; and

7 (2) Require the department of business, economic
8 development, and tourism to establish a business
9 climate improvement working group to work with private
10 sector organizations and other relevant parties to
11 develop and recommend policies that improve Hawaii's
12 business competitiveness.

13 SECTION 2. Chapter 201, Hawaii Revised Statutes, is
14 amended by adding a new part to be appropriately designated and
15 to read as follows:

16 **"PART . HAWAII BUSINESS COMPETITIVENESS**

17 **§201-A Definitions.** As used in this part:

18 "Department" means the department of business, economic
19 development, and tourism.

20 "Director" means the director of business, economic
21 development, and tourism.



1 **§201-B Ranking metric; definition; selection by**
2 **department.** (a) As used in this part, "ranking metric" means a
3 publication that:

4 (1) Measures each state's business competitiveness by
5 considering data and other information in the
6 following categories:

7 (A) Economy: Measures economic strength through
8 gross domestic product and job growth, fiscal
9 stability, credit ratings, real estate health,
10 business diversity, trade exposure, and new
11 business survival;

12 (B) Infrastructure: Assesses transportation
13 networks, utilities, broadband, site readiness,
14 land availability, market access, and climate
15 resiliency;

16 (C) Workforce: Evaluates skilled labor availability,
17 education levels, migration of talent,
18 productivity, training programs, and labor
19 flexibility;



- 1 (D) Cost of doing business: Examines tax
2 competitiveness, wages, utilities, property and
3 insurance costs, and business incentives;
- 4 (E) Business friendliness: Focuses on regulatory and
5 legal environments, permitting efficiency,
6 land-use rules, and support for emerging
7 industries;
- 8 (F) Quality of life: Measures livability, including
9 safety, environment, health care, childcare,
10 worker rights, inclusiveness, and reproductive
11 freedoms;
- 12 (G) Technology and Innovation: Captures innovation
13 capacity via patents, research funding, research
14 and development support, and participation in the
15 semiconductor and artificial intelligence
16 sectors;
- 17 (H) Education: Assesses kindergarten through twelfth
18 grade and higher education systems, funding,
19 access, and workforce alignment through community
20 colleges partnerships;



1 (I) Access to capital: Measures availability of
2 venture capital, bank lending, state-backed
3 financing, and foreign direct investment; and
4 (J) Cost of living: Evaluates affordability through
5 housing, consumer goods, and insurance costs,
6 factoring in inflation and overall living
7 expenses; and

8 (2) Ranks each state's business competitiveness in
9 relation to each other using the categories of metrics
10 described in paragraph (1).

11 (b) The department shall select a ranking metric that
12 meets the definition in subsection (a) to carry out the purposes
13 of this part; provided that if the department's selected ranking
14 metric is discontinued, the department shall select an
15 alternative national ranking metric that provides a
16 comprehensive and balanced assessment of state business
17 competitiveness.

18 **§201-C State commitment to business competitiveness**
19 **improvement.** (a) It shall be the goal of the State to achieve
20 a ranking among the top ten states in the nation for business



1 competitiveness by 2045, as measured by the ranking metric
2 selected by the department pursuant to section 201-B.

3 (b) In addition to the goal established in subsection (a),
4 it shall be the goal of the State to achieve the following
5 interim rankings, as measured by the ranking metric:

- 6 (1) Forty-fifth or better by 2030;
- 7 (2) Thirtieth or better by 2035; and
- 8 (3) Twentieth or better by 2040.

9 **§201-D Business climate improvement working group.** (a)
10 The department shall establish a business climate improvement
11 working group, which shall develop targeted policies and
12 legislative proposals to improve the State's business
13 competitiveness.

14 (b) The director shall appoint members to the working
15 group and shall designate a member to serve as chairperson.
16 Working group members may include representatives from private
17 sector organizations and any other parties having experience or
18 expertise relevant to the improvement of the State's business
19 competitiveness.

20 (c) In developing policies and proposals, the working
21 group shall:



- 1 (1) Consult with persons from business groups, labor
- 2 unions, community groups, and other government
- 3 entities; and
- 4 (2) Review and analyze relevant research, including:
- 5 (A) Reports from the department;
- 6 (B) The Chamber of Commerce Hawaii's 2030 Blueprint
- 7 for Hawaii;
- 8 (C) The office of planning and sustainable
- 9 development's comprehensive economic development
- 10 strategy reports for the State and each county;
- 11 (D) Studies and other publications from the
- 12 university of Hawaii economic research
- 13 organization; and
- 14 (E) Recommendations by the business revitalization
- 15 task force established pursuant to Act 142,
- 16 Session Laws of Hawaii 2024.
- 17 (d) Members of the working group shall serve without
- 18 compensation, but may be reimbursed for reasonable expenses,
- 19 including travel expenses, necessary for the performance of
- 20 their duties.



1 **§201-E Annual report.** No later than twenty days prior to
2 the convening of each regular session, the working group shall
3 submit a report to the legislature that includes:

4 (1) An assessment of the State's progress in meeting the
5 goals established under section 201-C, including the
6 State's progress in improving the State's scores in
7 the ranking metric; and

8 (2) Proposed policies, including any proposed legislation,
9 to improve Hawaii's business competitiveness."

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$ or so
12 much thereof as may be necessary for fiscal year 2026-2027 for
13 independent research, staffing, travel, and other expenses for
14 the purposes of this Act.

15 The sum appropriated shall be expended by the department of
16 business, economic development, and tourism for the purposes of
17 this Act.

18 SECTION 4. In codifying the new sections added by
19 section 2 of this Act, the revisor of statutes shall substitute
20 appropriate section numbers for the letters used in designating
21 the new sections in this Act.



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



S.B. NO. 2263
S.D. 1

Report Title:

DBEDT; Business Competitiveness; Business Climate Improvement
Working Group; Reports; Appropriation

Description:

Establishes a goal for the State to achieve a ranking among the top 10 states in the nation for business competitiveness by 2045. Defines and requires the Department of Business, Economic Development, and Tourism to select a "ranking metric" and establishes interim goals. Requires DBEDT to establish a working group to develop and recommend policies that improve Hawaii's business competitiveness. Requires annual reports to Legislature. Appropriates funds. Effective 7/1/2050. (SD1)

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





Hawai'i State Legislature

Ka 'Aha'ōlelo Moku'āina 'O Hawai'i

HB1964 HD2

Measure Title: RELATING TO THE STATE BUILDING CODE COUNCIL.

Report Title: State Building Code Council; Counties; Annual Training; Building Codes; Permitting Agency Employees; Appropriation

Description: Implements certain recommendations of the SPEED Task Force. Requires the State Building Code Council to provide annual training to state and county permitting agency employees. Appropriates funds for the training, subject to a matching requirement from the counties. Effective 7/1/3000. (HD2)



Companion: [SB2910](#)

Package: None

Current Referral: WAL, FIN

Introducer(s): KEOHOKAPU-LEE LOY, AMATO, BELATTI, EVSLIN, GRANDINETTI, ILAGAN, KAHALOA, KUSCH, LOWEN, MARTEN, MATAYOSHI, MIYAKE, MORIKAWA, OLDS, SAYAMA, TAKAYAMA, TAKENOUCI, TAM, TARNAS, TEMPLO

Sort by Date

Status Text

3/10/2026 H Passed Third Reading as amended in HD 2 with none voting aye with reservations; none voting no (0) and Representative(s) Kong, Pierick excused (2). Transmitted to Senate.

3/6/2026 H Forty-eight (48) hours notice Tuesday, 03-10-26.

3/6/2026 H Reported from FIN (Stand. Com. Rep. No. 1076-26) as amended in HD 2, recommending passage on Third Reading.

2/23/2026	H	The committee on FIN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 16 Ayes: Representative(s) Todd, Takenouchi, Hartsfield, Hussey, Keohokapu-Lee Loy, Kitagawa, Kusch, Lee, M., Miyake, Morikawa, Perruso, Templo, Yamashita, Alcos, Gedeon, Reyes Oda; Ayes with reservations: none; Noes: none; and Excused: none.
2/19/2026	H	Bill scheduled to be heard by FIN on Monday, 02-23-26 2:00PM in House conference room 308 VIA VIDEOCONFERENCE.
2/13/2026	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Representative(s) Chun, Kong, Kusch excused (3).
2/13/2026	H	Reported from WAL (Stand. Com. Rep. No. 267-26) as amended in HD 1, recommending passage on Second Reading and referral to FIN.
2/5/2026	H	The committee on WAL recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 8 Ayes: Representative(s) Hashem, Morikawa, Belatti, Ichiyama, Poepoe, Woodson, Souza; Ayes with reservations: Representative(s) Shimizu; Noes: none; and 1 Excused: Representative(s) Iwamoto.
2/2/2026	H	Bill scheduled to be heard by WAL on Thursday, 02-05-26 9:00AM in House conference room 411 VIA VIDEOCONFERENCE.
1/28/2026	H	Referred to WAL, FIN, referral sheet 3
1/26/2026	H	Introduced and Pass First Reading.
1/23/2026	H	Pending introduction.



S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HBI964 HD2

A BILL FOR AN ACT

RELATING TO THE STATE BUILDING CODE COUNCIL.

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

1 SECTION 1. The legislature finds that the simplifying
2 permitting for enhanced economic development (SPEED) task force
3 was established pursuant to Act 133, Session Laws of Hawaii
4 2025. The SPEED task force brought together various state and
5 county agencies and stakeholders to address issues related to
6 obtaining permits for housing, infrastructure, and other
7 projects. The legislature further finds that the SPEED task
8 force is responsible for identifying actions taken, challenges
9 encountered, and legislative measures needed to facilitate,
10 expedite, and coordinate state and intergovernmental permitting
11 processes.

12 In its initial phase, the SPEED task force split into three
13 permitted interaction groups, each focused on a specific, high-
14 impact segment of the permitting system. The SPEED task force
15 then submitted to the legislature a December 2025 final report
16 of the permitted interaction groups, representing a combined
17 report of the three permitted interaction groups, which outlined



1 findings regarding existing actions and persistent challenges
2 and presented initial recommendations for legislative and
3 administrative measures to improve permitting processes
4 statewide.

5 The December 2025 final report recommends additional
6 training and professional development for state and county
7 permitting agency employees as part of a key policy change to
8 improve the permitting process. The final report also finds
9 that further training opportunities focused on new building
10 codes, digital tools, and emerging technologies could help
11 reduce interpretation errors and improve overall permit issuance
12 times.

13 Accordingly, the purpose of this Act is to require the
14 state building code council to provide annual training to state
15 and county permitting agency employees.

16 SECTION 2. Chapter 107, Hawaii Revised Statutes, is
17 amended by adding a new section to part II to be appropriately
18 designated and to read as follows:

19 "§107- Annual training; building codes; state and
20 county permitting agency employees. (a) In addition to its
21 duties under section 107-24, the council shall provide annual



1 training to state and county permitting agency employees,
2 including plan reviewers, inspectors, and policy staff. The
3 training shall provide:

- 4 (1) Guidance on changes made to building codes and
5 standards;
6 (2) A practical application component, providing employees
7 examples of how code changes affect common projects;
8 (3) An overview of how to use any digital tools, including
9 artificial intelligence tools, that may be available
10 to assist with permit intake and review; and
11 (4) Best practices for providing clear, consistent
12 comments and feedback to applicants for permit
13 applications.

14 (b) The training shall include recorded modules provided
15 to all applicable state and county permitting agency employees."

16 SECTION 3. Section 107-24, Hawaii Revised Statutes, is
17 amended by amending subsection (g) to read as follows:

18 "(g) The council may, in addition to the annual training
19 required pursuant to section 107- , provide education and
20 technical training and administrative assistance in the form of
21 services or grants at the state and county levels relating to



1 the implementation and enforcement of the Hawaii state building
2 codes adopted pursuant to this part."

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2026-2027 for
6 the state building code council to provide annual training to
7 state and county permitting agency employees; provided that no
8 funds shall be made available under this Act to any county
9 unless all counties provide matching funds in the sum of \$6,250
10 per county.

11 The sum appropriated shall be expended by the state
12 building code council for the purposes of this Act.

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

State Building Code Council; Counties; Annual Training; Building Codes; Permitting Agency Employees; Appropriation

Description:

Implements certain recommendations of the SPEED Task Force. Requires the State Building Code Council to provide annual training to state and county permitting agency employees. Appropriates funds for the training, subject to a matching requirement from the counties. Effective 7/1/3000. (HD2)

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





Hawai'i State Legislature

Ka 'Aha'ōlelo Moku'āina 'O Hawai'i

HB1967 HD1

Measure Title: RELATING TO PERMITTING.

Report Title: Permitting; Permitting Workforce Pipeline; Hiring; Department of Business, Economic Development, and Tourism; University of Hawai'i; Community Colleges; Counties; Appropriation (\$)

Description: Implements certain recommendations of the SPEED Task Force. Requires the Department of Business, Economic Development, and Tourism to develop a permitting workforce pipeline in partnership with the University of Hawai'i and community colleges and coordinate with state and county permitting agencies on certain tasks related to classification levels, salary and benefits, hiring, and responsibilities of employees. Appropriates funds. Effective 7/1/3000. (HD1) 

Companion: [SB2909](#)

Package: None

Current Referral: EDT/EDU, WAM

Introducer(s): KEOHOKAPU-LEE LOY, AMATO, BELATTI, EVSLIN, ILAGAN, KAHALOA, KAPELA, KILA, KUSCH, LOWEN, MARTEN, MIYAKE, MORIKAWA, OLDS, TAKENOUCHI, TAM, TARNAS

<u>Sort by Date</u>		Status Text
3/10/2026	S	Referred to EDT/EDU, WAM.
3/6/2026	S	Passed First Reading.
3/6/2026	S	Received from House (Hse. Com. No. 66).
3/5/2026	H	Passed Third Reading with none voting aye with reservations; none voting no (0) and Representative(s) Perruso excused (1). Transmitted to Senate.

3/5/2026	H	Reported from FIN (Stand. Com. Rep. No. 780-26), recommending passage on Third Reading.
3/2/2026	H	The committee on FIN recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 16 Ayes: Representative(s) Todd, Takenouchi, Hartsfield, Hussey, Keohokapu-Lee Loy, Kitagawa, Kusch, Lee, M., Miyake, Morikawa, Perruso, Templo, Yamashita, Alcos, Gedeon, Reyes Oda; Ayes with reservations: none; Noes: none; and Excused: none.
2/27/2026	H	Bill scheduled to be heard by FIN on Monday, 03-02-26 2:00PM in House conference room 308 VIA VIDEOCONFERENCE.
2/18/2026	H	Report adopted; referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and none excused (0).
2/18/2026	H	Reported from HED (Stand. Com. Rep. No. 404-26), recommending referral to FIN.
2/13/2026	H	The committee on HED recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 9 Ayes: Representative(s) Garrett, Amato, Evslin, Kapela, La Chica, Olds, Woodson, Muraoka, Souza; Ayes with reservations: none; Noes: none; and 1 Excused: Representative(s) Kila.
2/11/2026	H	Bill scheduled to be heard by HED on Friday, 02-13-26 2:00PM in House conference room 309 VIA VIDEOCONFERENCE.
2/11/2026	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on HED with none voting aye with reservations; Representative(s) Pierick voting no (1) and Representative(s) Holt excused (1).
2/11/2026	H	Reported from ECD (Stand. Com. Rep. No. 144-26) as amended in HD 1, recommending passage on Second Reading and referral to HED.
2/4/2026	H	The committee on ECD recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 7 Ayes: Representative(s) Ilagan, Hussey, Holt, Tam, Templo, Yamashita, Gedeon; Ayes with reservations: none; Noes: none; and Excused: none.
1/30/2026	H	Bill scheduled to be heard by ECD on Wednesday, 02-04-26 10:00AM in House conference room 423 VIA VIDEOCONFERENCE.
1/28/2026	H	Referred to ECD, HED, FIN, referral sheet 3
1/26/2026	H	Introduced and Pass First Reading.
1/23/2026	H	Pending introduction.



S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

A BILL FOR AN ACT

RELATING TO PERMITTING.

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

1 SECTION 1. The legislature finds that the Simplifying
2 Permitting for Enhanced Economic Development (SPEED) task force
3 was established pursuant to Act 133, Session Laws of Hawaii
4 2025. The SPEED task force brought together various state and
5 county agencies and stakeholders to address issues related to
6 obtaining permits for housing, infrastructure, and other
7 projects. The legislature further finds that the SPEED task
8 force is responsible for identifying actions taken, challenges
9 encountered, and legislative measures needed to facilitate,
10 expedite, and coordinate state and intergovernmental permitting
11 processes.

12 In its initial phase, the SPEED task force split into three
13 permitted interaction groups, each focused on a specific, high-
14 impact segment of the permitting system. The SPEED task force
15 then submitted to the legislature a December 2025 final report
16 of the permitted interaction groups, representing a combined
17 report of the three permitted interaction groups, which outlined



1 findings regarding existing actions and persistent challenges
2 and presented initial recommendations for legislative and
3 administrative measures to improve permitting processes
4 statewide.

5 The legislature additionally finds that in the December
6 2025 final report, the SPEED task force identified issues
7 related to understaffing and recruitment as a common impediment
8 to the permitting process. County departments identified this
9 issue as a major cause of permit backlog and poor plan quality.
10 The SPEED task force recommended that the legislature invest in
11 a long-term permitting workforce strategy to support the
12 recruitment and retention of state and county employees who fill
13 these key roles.

14 Accordingly, the purpose of this Act is to require and
15 appropriate funds for the department of business, economic
16 development, and tourism to:

- 17 (1) Develop a permitting workforce pipeline in partnership
18 with the University of Hawaii and community colleges;
19 and
20 (2) Coordinate with state and county permitting agencies
21 on certain tasks related to the classification levels,



1 salary and benefits, hiring, and responsibilities of
2 employees.

3 SECTION 2. (a) The department of business, economic
4 development, and tourism shall, in partnership with the
5 University of Hawaii and community colleges, develop a
6 permitting workforce pipeline that utilizes existing academic
7 programs to support the recruitment of new state and county
8 permitting agency employees.

9 (b) The permitting workforce pipeline shall:

10 (1) Include tuition incentives for college students who
11 enter state and county permitting agency jobs;
12 provided that these tuition incentives may be
13 structured as reimbursement, loan repayment, or post-
14 service loan forgiveness;

15 (2) Establish clear service commitments for students
16 receiving tuition benefits; and

17 (3) Match students with state and county permitting
18 agencies.

19 (c) The department of business, economic development, and
20 tourism shall coordinate with applicable state and county
21 permitting agencies to:



- 1 (1) Develop classification levels for permit technicians
- 2 and plan reviewers and ensure opportunities for career
- 3 advancement;
- 4 (2) Develop salary and benefit scales that are comparable
- 5 to the private sector;
- 6 (3) Develop emergency hiring processes to be used by
- 7 agencies to fill immediate gaps;
- 8 (4) Ensure greater flexibility in hiring with respect to
- 9 salary and minimum qualifications; and
- 10 (5) Ensure that trainee and junior reviewer employees can
- 11 handle routine scopes under supervision.
- 12 (d) The department of business, economic development, and
- 13 tourism may consult with the department of human resources
- 14 development when developing the classification levels, salary
- 15 and benefit scales, and hiring processes pursuant to subsection
- 16 (c).

17 SECTION 3. There is appropriated out of the general
 18 revenues of the State of Hawaii the sum of \$ or so
 19 much thereof as may be necessary for fiscal year 2026-2027 for
 20 the department of business, economic development, and tourism to
 21 develop a permitting workforce pipeline and coordinate with



1 state and county permitting agencies on certain tasks related to
2 classification levels, salary and benefits, hiring, and
3 responsibilities of employees pursuant to section 2 of this Act.

4 The sum appropriated shall be expended by the department of
5 business, economic development, and tourism for the purposes of
6 this Act.

7 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Permitting; Permitting Workforce Pipeline; Hiring; Department of Business, Economic Development, and Tourism; University of Hawaii; Community Colleges; Counties; Appropriation

Description:

Implements certain recommendations of the SPEED Task Force. Requires the Department of Business, Economic Development, and Tourism to develop a permitting workforce pipeline in partnership with the University of Hawaii and community colleges and coordinate with state and county permitting agencies on certain tasks related to classification levels, salary and benefits, hiring, and responsibilities of employees. Appropriates funds. Effective 7/1/3000. (HD1)

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





Hawai'i State Legislature

Ka 'Aha'ōlelo Moku'āina 'O Hawai'i

HB2606 HD2

Measure Title: RELATING TO OFF-SITE CONSTRUCTION.

Report Title: State Building Code Council; Off-site Construction; Working Group; Appropriation

Description: Implements certain recommendations of the SPEED Task Force. Establishes a working group within the State Building Code Council to develop proposals for an off-site construction program. Appropriates funds. Effective 7/1/3000. (HD2)



Companion:

Package: None

Current Referral: PSM, WAM

Introducer(s): KEOHOKAPU-LEE LOY, AMATO, COCHRAN, EVSLIN, HARTSFIELD, HUSSEY, KAHALOA, KILA, LOWEN, MARTEN, MORIKAWA, OLDS, TAKAYAMA, TAM, TARNAS

<u>Sort by Date</u>		Status Text
3/10/2026	S	Referred to PSM, WAM.
3/6/2026	S	Passed First Reading.
3/6/2026	S	Received from House (Hse. Com. No. 125).
3/5/2026	H	Passed Third Reading with none voting aye with reservations; none voting no (0) and Representative(s) Perruso excused (1). Transmitted to Senate.
3/5/2026	H	Reported from FIN (Stand. Com. Rep. No. 857-26), recommending passage on Third Reading.

3/2/2026	H	The committee on FIN recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 15 Ayes: Representative(s) Todd, Takenouchi, Hartsfield, Hussey, Keohokapu-Lee Loy, Kitagawa, Kusch, Lee, M., Miyake, Morikawa, Perruso, Templo, Yamashita, Gedeon, Reyes Oda; Ayes with reservations: none; Noes: none; and 1 Excused: Representative(s) Alcos.
2/27/2026	H	Bill scheduled for decision making on Monday, 03-02-26 10:00AM in conference room 308 VIA VIDEOCONFERENCE.
2/27/2026	H	The committee(s) on FIN recommend(s) that the measure be deferred until 03-02-26.
2/24/2026	H	Bill scheduled to be heard by FIN on Friday, 02-27-26 2:00PM in House conference room 308 VIA VIDEOCONFERENCE.
2/20/2026	H	Report adopted; referred to the committee(s) on FIN as amended in HD 2 with none voting aye with reservations; none voting no (0) and Representative(s) Quinlan excused (1).
2/20/2026	H	Reported from WAL (Stand. Com. Rep. No. 703-26) as amended in HD 2, recommending referral to FIN.
2/19/2026	H	The committee on WAL recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 9 Ayes: Representative(s) Hashem, Morikawa, Belatti, Ichiyama, Iwamoto, Poepoe, Woodson, Shimizu, Souza; Ayes with reservations: none; 0 Noes: none; and 0 Excused: none.
2/13/2026	H	Bill scheduled to be heard by WAL on Thursday, 02-19-26 9:00AM in House conference room 411 VIA VIDEOCONFERENCE.
2/11/2026	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on WAL with none voting aye with reservations; none voting no (0) and Representative(s) Holt excused (1).
2/11/2026	H	Reported from HSG (Stand. Com. Rep. No. 137-26) as amended in HD 1, recommending passage on Second Reading and referral to WAL.
2/6/2026	H	The committee on HSG recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 8 Ayes: Representative(s) Evslin, Miyake, Cochran, Grandinetti, Kila, Kitagawa, Muraoka, Pierick; Ayes with reservations: none; 0 Noes: none; and 1 Excused: Representative(s) La Chica.
2/3/2026	H	Bill scheduled to be heard by HSG on Friday, 02-06-26 9:30AM in House conference room 430 VIA VIDEOCONFERENCE.
2/2/2026	H	Referred to HSG, WAL, FIN, referral sheet 6
1/28/2026	H	Introduced and Pass First Reading.



Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HB2606 HD2



A BILL FOR AN ACT

RELATING TO OFF-SITE CONSTRUCTION.

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

1 SECTION 1. The legislature finds that the Simplifying
2 Permitting for Enhanced Economic Development (SPEED) task force
3 was established pursuant to Act 133, Session Laws of Hawaii
4 2025. The SPEED task force brought together various state and
5 county agencies and stakeholders to address issues related to
6 obtaining permits for housing, infrastructure, and other
7 projects. The legislature further finds that the SPEED task
8 force is responsible for identifying actions taken, challenges
9 encountered, and legislative measures needed to facilitate,
10 expedite, and coordinate state and intergovernmental permitting
11 processes.

12 In its initial phase, the SPEED task force split into three
13 permitted interaction groups, each focused on a specific, high-
14 impact segment of the permitting system. The SPEED task force
15 then submitted to the legislature a December 2025 final report
16 of the permitted interaction groups, representing a combined
17 report of the three permitted interaction groups, which outlined



1 findings regarding existing actions and persistent challenges
2 and presented initial recommendations for legislative and
3 administrative measures to improve permitting processes
4 statewide.

5 The December 2025 final report also identified various
6 recommendations for improving housing and infrastructure
7 development in the State. One key recommendation involves off-
8 site construction, which the final report identifies as having
9 the potential to reduce plan-review workloads through the use of
10 standardized designs and state-level certification. Currently,
11 counties expend substantial resources reviewing manufacturer
12 documentation and verifying that off-site or imported building
13 components comply with state building codes, which results in
14 duplicative technical reviews across the counties. The final
15 report recommends that a state-administered certification and
16 inspection program for off-site construction be developed as
17 part of the State's broader housing and infrastructure strategy.

18 Accordingly, the purpose of this Act is to establish and
19 appropriate funds for a working group within the state building
20 code council to develop proposals for an off-site construction
21 program.



1 SECTION 2. (a) There is established within the state
2 building code council an off-site construction working group to
3 develop proposals for an off-site construction program.

4 (b) The off-site construction program shall:

- 5 (1) Be limited to off-site construction components and
6 designs for single-family homes less than one thousand
7 two hundred square feet that are constructed,
8 assembled, inspected, or installed in the State in
9 accordance with chapters 107, 444, and 448E, Hawaii
10 Revised Statutes;
- 11 (2) Centralize manufacturer certification and product
12 quality assurance;
- 13 (3) Curate a library of pre-approved components and
14 designs;
- 15 (4) Define clear regulations for use and inspection;
- 16 (5) Establish a process in which a state- or county-level
17 official would certify factories and inspect
18 standardized models for compliance with state building
19 codes and local conditions, while county agencies
20 would be responsible for site-specific review related



- 1 to foundations, utilities, installation, and hazard
2 exposure;
- 3 (6) Develop pre-approved plan sets for common housing
4 types, such as small multi-unit and single-family
5 infill development;
- 6 (7) Include funding to support the off-site construction
7 labor force in the State;
- 8 (8) Include policies to strengthen construction-material
9 supply chains and reduce dependence on import
10 pathways; and
- 11 (9) Be explicitly integrated with zoning, wastewater, and
12 infrastructure planning so that modular units are
13 directed to sites that can support them.
- 14 (c) The working group shall consist of the following
15 members:
- 16 (1) The chair of the state building code council, or the
17 chair's designee, who shall serve as chair;
- 18 (2) The director of the office of planning and sustainable
19 development, or the director's designee;
- 20 (3) One member of the senate, to be appointed by the
21 president of the senate; and



- 1 (4) One member of the house of representatives, to be
2 appointed by the speaker of the house of
3 representatives.
- 4 (d) The chair of the working group shall invite the
5 following individuals to serve as members of the working group:
- 6 (1) Six county building code officials, or their
7 designees, as designated by the chair;
- 8 (2) Two representatives with architectural experience;
- 9 (3) Two representatives with engineering experience;
- 10 (4) Five representatives from construction labor
11 organizations; provided that no less than two
12 representatives shall be from construction labor
13 organizations governed by chapter 448E, Hawaii Revised
14 Statutes;
- 15 (5) Three representatives from consumer advocacy
16 organizations;
- 17 (6) Two representatives from non-profit organizations
18 focused on housing;
- 19 (7) Three representatives from the financial services
20 industry; and
- 21 (8) Community stakeholders as designated by the chair.



1 (e) The working group shall submit a report of its
2 findings and recommendations, including any proposed
3 legislation, to the legislature no later than twenty days prior
4 to the convening of the regular session of 2027.

5 (f) The working group shall be dissolved on June 30, 2027.

6 SECTION 3. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so
8 much thereof as may be necessary for fiscal year 2026-2027 for
9 the off-site construction working group.

10 The sum appropriated shall be expended by the state
11 building code council for the purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

State Building Code Council; Off-site Construction; Working Group; Appropriation

Description:

Implements certain recommendations of the SPEED Task Force. Establishes a working group within the State Building Code Council to develop proposals for an off-site construction program. Appropriates funds. Effective 7/1/3000. (HD2)

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



V. Legislative Matters

B. Update on the following legislative matters:

1. **House Bill 2603 HD1 – Relating to Permits** – Establishes specific deadlines within the facilitated application process to obtain a permit and requires the Department of Business, Economic Development, and Tourism to establish certain resources and processes to help streamline permit applications. Authorizes the Department of Transportation to select projects to participate in the facilitated application process.
2. **House Bill 1612 HD1 – Relating to Economic Development** – Establishes a business competitiveness goal for the State to achieve a ranking of being in the top thirty states in the United States for business climate by 2045, with interim goals. Requires the Department of Business, Economic Development, and Tourism to submit annual reports on progress in meeting the business competitive goals. Appropriates funds.
3. **Governor’s Message 612** Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **Leelen Park**, for a term to expire June 30, 2029
4. **Governor’s Message 613** Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **Cynthia Hobson**, for a term to expire June 30, 2029



Hawai'i State Legislature

Ka 'Aha'ōlelo Moku'āina 'O Hawai'i

HB2603 HD1

Measure Title: RELATING TO PERMITS.

Report Title: DBEDT; DOT; Permits; Facilitated Application Process; Digital Portal (\$)

Description: Establishes specific deadlines within the facilitated application process to obtain a permit and requires the Department of Business, Economic Development, and Tourism to establish certain resources and processes to help streamline permit applications. Authorizes the Department of Transportation to select projects to participate in the facilitated application process. Effective 7/1/3000. (HD1)



Companion:

Package: None

Current Referral: ECD, WAL, FIN

Introducer(s): TAM, AMATO, GEDEON, ILAGAN, KILA, KUSCH, LOWEN, MARTEN, TARNAS, TEMPLO

Sort by Date

Status Text

2/12/2026	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on WAL with none voting aye with reservations; none voting no (0) and none excused (0).
2/12/2026	H	Reported from ECD (Stand. Com. Rep. No. 254-26) as amended in HD 1, recommending passage on Second Reading and referral to WAL.
2/11/2026	H	The committee on ECD recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 7 Ayes: Representative(s) Ilagan, Hussey, Holt, Tam, Templo, Yamashita, Gedeon; Ayes with reservations: none; 0 Noes: none; and 0 Excused: none.

2/6/2026	H	Bill scheduled to be heard by ECD on Wednesday, 02-11-26 8:30AM in House conference room 423 VIA VIDEOCONFERENCE.
2/2/2026	H	Referred to ECD, WAL, FIN, referral sheet 6
1/28/2026	H	Introduced and Pass First Reading.

S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HB2603 HD1



A BILL FOR AN ACT

RELATING TO PERMITS.

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

1 SECTION 1. The legislature finds that certain land or
2 water use activities or construction projects may require
3 permits issued by agencies and authorities through the
4 facilitated application process, which is overseen by the
5 department of business, economic development, and tourism.

6 The legislature further finds that the facilitated
7 application process to obtain a permit can be cumbersome and
8 subject applicants to lengthy waiting periods. The legislature
9 additionally finds that a backlog in applications can lead to
10 delays in housing, industrial, and commercial projects, stifling
11 economic development in the State.

12 Accordingly, the purpose of this Act is to establish
13 specific deadlines within the facilitated application process
14 and require the department of business, economic development,
15 and tourism to establish certain resources and processes to help
16 streamline permit applications.



1 SECTION 2. Section 201-62, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§201-62 Facilitated application process.** (a) State
4 agencies are required, and county agencies are authorized and
5 encouraged, to participate in the facilitated application
6 process set forth [~~herein.~~] in this section.

7 (b) The department shall serve as the lead agency for the
8 facilitated application procedure and shall be the lead agency
9 to administer the facilitated application procedure for any
10 project that requires both county permit applications and state
11 agency approval[~~];~~ provided that the department of
12 transportation may select projects to participate in the
13 facilitated application procedure in a manner similar to the
14 federal FAST-41 program (Fixing America's Surface Transportation
15 Act, P.L. 114-94) to accelerate large-scale infrastructure
16 projects needed for economic development.

17 (c) The procedure shall be as follows:

18 (1) An applicant for at least two [~~or more~~] state permits,
19 or at least one state and one county permit, may apply
20 in writing to the department requesting a facilitated
21 application process for the consideration of the



1 application. The written request shall include
2 sufficient data about the proposed project for the
3 department to determine which other agencies or
4 authorities may have jurisdiction;

5 (2) [~~Upon receiving~~] Within ten days of approving a
6 written request for the facilitated application
7 process, the department shall notify all federal,
8 state, and county agencies or authorities that the
9 department determines may have jurisdiction over part
10 or all of the proposed project, and require those
11 state agencies or authorities and invite those county
12 and federal agencies or authorities to participate in
13 the facilitated application process;

14 (3) The applicant and each agency or authority required or
15 agreeing to participate in the facilitated application
16 process shall designate a representative to serve on
17 the facilitated application review team;

18 (4) Any state agency or authority designated by the
19 department as a party to an application review that is
20 not able to participate, shall submit an explanation,



1 in writing, to the department as to the reasons and
2 circumstances for noncompliance;

3 (5) The representatives of the agencies, authorities, and
4 the applicant may develop and sign a joint agreement
5 among themselves identifying the members of the
6 facilitated application review team, specifying the
7 regulatory and review responsibilities of each
8 government agency and setting forth the
9 responsibilities of the applicant, and establishing a
10 timetable for regulatory review, the conduct of
11 necessary hearings, preparation of an environmental
12 impact statement if necessary, and other actions
13 required to minimize duplication and coordinate the
14 activities of the applicant, agencies, and
15 authorities;

16 (6) [~~Each~~] Within ten days of receiving notification from
17 the department, each agency or authority shall submit
18 an estimated timeline for permit issuance or approval
19 and issue its own permit or approval based upon this
20 timeline and its own jurisdiction[-]; provided that
21 the department may adjust this deadline based on the



1 complexity of the project. The facilitated
2 application process shall not affect or invalidate the
3 jurisdiction or authority of any agency under existing
4 law; and

5 (7) The applicant shall apply directly to each federal or
6 county agency that does not participate in the
7 facilitated application process.

8 (d) If a state regulatory permit is necessary to obtain a
9 county permit, then a county agreeing to participate in the
10 facilitated application process may advise the applicant of the
11 facilitated application procedure. To apply for the facilitated
12 application procedure, applicants for county permits involving
13 state permit approvals shall submit a form, which shall be
14 issued by the department; provided that this procedure shall
15 apply only to state permits that need to be approved by a state
16 agency following a review of the plans and certifications
17 submitted by the applicant. State permits that are approved by
18 rule require only that the licensed design professional certify
19 that the plans and specifications are in compliance with state
20 rules. No review by a state agency is required for state
21 approval. Plans and specifications requiring state agency



1 review shall be submitted with the facilitated application
2 procedure to the appropriate state agency, with a copy to the
3 department. If a state permit is approved by rule, then the
4 participating county shall provide a set of drawings and
5 specifications submitted by the applicant to the state agency
6 that developed the rules.

7 In developing the procedures for approval by rule and by
8 review, permit requirements shall be clearly stated.
9 Performance standards, rather than specific technologies or
10 procedures, shall be specified when appropriate.

11 (e) The department shall submit an annual report on the
12 status of the facilitated application process, including any
13 recommendations for improvements to the facilitated application
14 process, to the legislature no later than twenty days prior to
15 the convening of each regular session.

16 [~~e~~] (f) For purposes of this section:

17 "Permit by review" means permits approved by the
18 appropriate state departments.

19 "Permit by rule" means permits approved by administrative
20 rule."



1 SECTION 3. Section 201-64, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§201-64[+] **Streamlining activities.** (a) The
4 department may:

5 (1) Monitor permits on an ongoing basis to determine the
6 source of inefficiencies, delays, and duplications and
7 the status of permits in progress;

8 (2) Pursue the implementation of streamlining measures
9 including, but not necessarily limited to, those
10 measures defined in consultation with affected state
11 agencies, county central coordinating agencies, and
12 members of the public; and

13 (3) Design applications, checklists, and other forms
14 essential to the implementation of approved
15 streamlining measures in coordination with involved
16 state and county regulatory agencies, and members of
17 the public.

18 (b) The department shall establish:

19 (1) A single digital portal that allows applicants and
20 agencies to upload applications, permits, and relevant



1 documents and track the status of applications in real
2 time;

3 (2) A fast-track process to expedite approval of low-
4 impact projects;

5 (3) A process for improving state agency coordination and
6 timeliness of environmental reviews and infrastructure
7 projects based on the federal FAST-41 program (Fixing
8 America's Surface Transportation Act, P.L. 114-94);

9 (4) A permit by rule process that allows applications for
10 low-impact projects to be reviewed by a licensed
11 design professional; and

12 (5) Criteria to classify low-impact projects; provided
13 that the criteria shall consider environmental and
14 community impacts.

15 (c) For purposes of this section, "licensed design
16 professional" means a professional engineer, architect,
17 surveyor, or landscape architect licensed under chapter 464."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

DBEDT; DOT; Permits; Facilitated Application Process; Digital Portal

Description:

Establishes specific deadlines within the facilitated application process to obtain a permit and requires the Department of Business, Economic Development, and Tourism to establish certain resources and processes to help streamline permit applications. Authorizes the Department of Transportation to select projects to participate in the facilitated application process. Effective 7/1/3000. (HD1)

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





Hawai'i State Legislature

Ka 'Aha'ōlelo Moku'āina 'O Hawai'i

HB1612 HD1

Measure Title: RELATING TO ECONOMIC DEVELOPMENT.

Report Title: Department of Business, Economic Development, and Tourism; Business Competitiveness Goals; Reports; Appropriation (\$)

Description: Establishes a business competitiveness goal for the State to be nationally ranked in the top thirty states for business climate by 2050, with interim goals. Requires the Department of Business, Economic Development, and Tourism to submit annual progress reports to the Legislature. Appropriates funds. Effective 7/1/3000. (HD1)



Companion:

Package: None

Current Referral: EDT, WAM

Introducer(s): ILAGAN, AMATO, KILA, MARTEN, MATSUMOTO, SHIMIZU, WOODSON, Alcos

<u>Sort by Date</u>		Status Text
3/10/2026	S	Referred to EDT, WAM.
3/6/2026	S	Passed First Reading.
3/6/2026	S	Received from House (Hse. Com. No. 26).
3/5/2026	H	Passed Third Reading with none voting aye with reservations; Representative(s) Iwamoto voting no (1) and Representative(s) Perruso excused (1). Transmitted to Senate.
3/5/2026	H	Reported from FIN (Stand. Com. Rep. No. 770-26), recommending passage on Third Reading.

3/2/2026	H	The committee on FIN recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 16 Ayes: Representative(s) Todd, Takenouchi, Hartsfield, Hussey, Keohokapu-Lee Loy, Kitagawa, Kusch, Lee, M., Miyake, Morikawa, Perruso, Templo, Yamashita, Alcos, Gedeon, Reyes Oda; Ayes with reservations: none; Noes: none; and Excused: none.
2/27/2026	H	Bill scheduled to be heard by FIN on Monday, 03-02-26 2:00PM in House conference room 308 VIA VIDEOCONFERENCE.
2/17/2026	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Representative(s) Cochran, Lee, M., Poepoe excused (3).
2/17/2026	H	Reported from ECD (Stand. Com. Rep. No. 288-26) as amended in HD 1, recommending passage on Second Reading and referral to FIN.
2/4/2026	H	The committee on ECD recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 7 Ayes: Representative(s) Ilagan, Hussey, Holt, Tam, Templo, Yamashita, Gedeon; Ayes with reservations: none; Noes: none; and Excused: none.
1/30/2026	H	Bill scheduled to be heard by ECD on Wednesday, 02-04-26 10:00AM in House conference room 423 VIA VIDEOCONFERENCE.
1/26/2026	H	Referred to ECD, FIN, referral sheet 1
1/21/2026	H	Introduced and Pass First Reading.
1/16/2026	H	Prefiled.



S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HBI612 HDI

A BILL FOR AN ACT

RELATING TO ECONOMIC DEVELOPMENT.

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

1 SECTION 1. The legislature finds that Hawaii ranks among
2 the least competitive states for business in national
3 assessments, including CNBC's America's Top States for Business,
4 which ranked Hawaii fiftieth in 2024 and forty-ninth in 2025.
5 Businesses in Hawaii face high regulatory burdens, elevated
6 costs, and slow governmental processes, which collectively
7 hinder economic growth and threaten the long-term prosperity of
8 the State and its residents.

9 The legislature further finds that the business
10 revitalization task force, created by Act 142, Session Laws of
11 Hawaii 2024, was established to identify strategies to improve
12 Hawaii's business climate. In the business revitalization task
13 force's November 2025 report, the task force recommends the
14 creation of a permanent framework to advance business
15 competitiveness through sustained policy development and
16 stakeholder engagement.



1 Accordingly, the purpose of this Act is to establish a
2 business competitiveness goal for the State to be nationally
3 ranked in the top thirty states for business climate by 2050,
4 with interim goals.

5 SECTION 2. Chapter 201, Hawaii Revised Statutes, is
6 amended by adding a new part to be appropriately designated and
7 to read as follows:

8 **"PART . HAWAII BUSINESS COMPETITIVENESS GOAL**

9 **§201- Definitions.** As used in this part, "ranking
10 metric" means the CNBC's America's Top States for Business. The
11 CNBC ranking scores each state using one hundred thirty-five
12 metrics in ten broad categories of competitiveness. The
13 categories are:

- 14 (1) Economy: Measures economic strength through gross
15 domestic product and job growth, fiscal stability,
16 credit ratings, real estate health, business
17 diversity, trade exposure, and new business survival;
- 18 (2) Infrastructure: Assesses transportation networks,
19 utilities, broadband, site readiness, land
20 availability, market access, and climate resiliency;



- 1 (3) Workforce: Evaluates skilled labor availability,
2 education levels, migration of talent, productivity,
3 training programs, and labor flexibility;
- 4 (4) Cost of doing business: Examines tax competitiveness,
5 wages, utilities, property and insurance costs, and
6 business incentives;
- 7 (5) Business friendliness: Focuses on regulatory and
8 legal environments, permitting efficiency, land-use
9 rules, and support for emerging industries;
- 10 (6) Quality of life: Measures livability, including
11 safety, environment, health care, child care, worker
12 rights, inclusiveness, and reproductive freedoms;
- 13 (7) Technology and innovation: Captures innovation
14 capacity via patents, research funding, research and
15 development support, and participation in
16 semiconductor and artificial intelligence sectors;
- 17 (8) Education: Assesses K-12 and higher education
18 systems, funding, access, and workforce alignment
19 through partnerships with community colleges;



1 (9) Access to capital: Measures availability of venture
2 capital, bank lending, state-backed financing, and
3 foreign direct investment; and

4 (10) Cost of living: Evaluates affordability through
5 housing, consumer goods, and insurance costs,
6 factoring in inflation and overall living expenses.

7 **§201- Business climate improvement; state goals.** It
8 shall be the goal of the State to achieve a ranking among the
9 top thirty states in the nation for business climate by 2050, as
10 measured by the ranking metric. The interim goals shall
11 include:

12 (1) Ranking of forty-fifth or better by 2035;

13 (2) Ranking of fortieth or better by 2040;

14 (3) Ranking of thirty-fifth or better by 2045; and

15 (4) Ranking of thirtieth or better by 2050;

16 provided that if the ranking metric is discontinued, the
17 department shall identify and recommend an alternative national
18 ranking metric that provides a comprehensive and balanced
19 assessment of state business climates.

20 **§201- Annual report.** The department shall submit an
21 annual report to the legislature no later than twenty days prior



1 to the convening of each regular session until the regular
2 session of 2050, which shall include:

- 3 (1) The status and progress toward the State's business
- 4 competitiveness goals pursuant to this part; and
- 5 (2) Legislative options to improve Hawaii's business
- 6 climate."

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2026-2027 for
10 the costs of independent research, staffing, travel, and other
11 administrative expenses necessary for the purposes of this Act.

12 The sum appropriated shall be expended by the department of
13 business, economic development, and tourism for the purposes of
14 this Act.

15 SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2026-2027 for
18 the establishment of full-time equivalent (FTE)
19 positions.



1 The sum appropriated shall be expended by the department of
2 business, economic development, and tourism for the purposes of
3 this Act.

4 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Department of Business, Economic Development, and Tourism;
Business Competitiveness Goals; Reports; Appropriation

Description:

Establishes a business competitiveness goal for the State to be nationally ranked in the top thirty states for business climate by 2050, with interim goals. Requires the Department of Business, Economic Development, and Tourism to submit annual progress reports to the Legislature. Appropriates funds. Effective 7/1/3000. (HD1)

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





Hawai'i State Legislature

Ka 'Aha'ōlelo Moku'āina 'O Hawai'i

[Edit Account](#) | [Log Out](#)

[Advanced Search](#) [Help](#)



GM612

Measure Title: Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, LEELAN PARK, for a term to expire 06-30-2029.

Report Title: Small Business Regulatory Review Board

Description:

Companion:

Package:



Current Referral: EDT

Introducer(s):

<u>Sort by Date</u>		Status Text
1/30/2026	S	Referred to EDT.
1/30/2026	S	Received.

S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

GM612



Hawai'i State Legislature

Ka 'Aha'ōlelo Moku'āina 'O Hawai'i

[Edit Account](#) | [Log Out](#)

[Advanced Search](#) [Help](#)



GM613

Measure Title: Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, CYNTHIA HOBSON, for a term to expire 06-30-2029.

Report Title: Small Business Regulatory Review Board

Description:

Companion:

Package:



Current Referral: EDT

Introducer(s):

<u>Sort by Date</u>		Status Text
1/30/2026	S	Referred to EDT.
1/30/2026	S	Received.

S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

GM613