

Small Business Regulatory Review Board

MEETING MINUTES - HELD THROUGH VIDEO-CONFERENCING September 16, 2021

- I. **CALL TO ORDER:** Chair Cundiff called the meeting to order at 10:05 a.m., with a quorum present, which was open to the public.

MEMBERS PRESENT:

- Robert Cundiff, Chair
- Mary Albitz, Vice Chair
- Jonathan Shick, 2nd Vice Chair
- Garth Yamanaka
- William Lydgate
- James (Kimo) Lee
- Taryn Rodighiero
- Mark Ritchie

ABSENT MEMBERS:

- Dr. Nancy Atmospera-Walch

STAFF: DBEDT

Dori Palcovich
Jet'aime Ariola

Office of the Attorney General

Alison Kato

II. **APPROVAL OF August 19, 2021 MINUTES**

Vice Chair Albitz made a motion to accept the August 19, 2021 meeting minutes, as amended. Second Vice Chair Shick seconded the motion, and the Board members unanimously agreed.

III. **OLD BUSINESS** – After Public Hearing

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 5 Chapter 5-11, Notaries Public, promulgated by Department of the Attorney General

Deputy Attorney General Dean Soma from the Department of the Attorney General stated that the public hearing occurred on July 29th. Prior to the hearing, on July 23rd, all notaries and prospective notaries were emailed the notice of public hearing. The hearing notice was also advertised in the local Hawaii newspapers on July 24th and it was posted on the department's website.

At the remote public hearing, 38 people attended with 5 testifying and 13 submitting written comments. Many of the subsequent proposed changes to the rules came from comments at the public hearing; however, one proposed change for the new notary book retention requirements was statutory so this could not be amended. The majority of the changes related to technology requirements.

Discussion leader Mr. Lydgate commended Mr. Soma and his staff for the excellent outreach to the stakeholders. He also commended the excellent note taking of the testimonies at the public hearing. Chair Cundiff reiterated Mr. Lydgate's sentiments for the great outreach as well as listening to the stakeholders.

Mr. Lydgate motioned to move the proposed amendments after the public hearing to the Governor for adoption. Vice Chair Albitz seconded the motion, and the Board members unanimously agreed.

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, HRS

Chair Cundiff briefly noted that the Phase II task force met recently in a Zoom call and discussed the improvements desired for Phase II. After all of Phase II's objectives were captured, the task force is now in the process of reaching out to NIC Hawaii (previously named HIC, or Hawaii Informational Consortium). Prior to the next board meeting, we will likely have connected with NIC Hawaii and should have an update.

V. NEXT MEETING - Thursday, October 21, 2021 at 10:00 a.m.

VI. ADJOURNMENT – Mr. Lydgate motioned to adjourn the meeting and Mr. Ritchie seconded the motion; the meeting adjourned at 11:25 a.m.