STAND. COM. REP. NO. 648

Honolulu, Hawaii

Feb 16, 2007

RE: H.B. No. 314

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Legislative Management, to which was referred H.B. No. 314, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SMALL BUSINESS,"

begs leave to report as follows:

The purpose of this bill is to support small businesses by re-establishing and appropriating funding for the Small Business Defender (SBD).

The Small Business Regulatory Review Board and Hawaii Business League testified in support of this bill. The Department of Business, Economic Development, and Tourism supported the intent of this measure. The Department of the Attorney General opposed this bill, and the Office of the Ombudsman offered comments.

Your Committee has amended this bill by:

- (1) Deleting the requirement that businesses must waive and release claims and requests for relief against the SBD or staff arising from legal representation;
- (2) Declaring that the activities of the SBD constitute a public purpose; and
- (3) Specifying that neither the SBD nor the attorneys shall represent the State in the performance of their duties.

HB314 HD2 HSCR LMG HMS 2007-2283

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 314, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 314, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Legislative Management,

MICHAEL Y. MAGACAY, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

#3CE 648

Record of Votes of the Committee on Legislative Management

Bill/Resolution No.: HB 314 HD 1	No.: 3314 HD 1 2-14-07				
Committee Referral: LMG, FIN	☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended	Pass, with amendments				
☐ Hold	 Pass, with amendments, for recommittal for further consideration 				
LMG Members	Ayes	Ayes (WR)	Nays	Excused	
1. MAGAOAY, Michael Y. (C)	<u> </u>		117 117		
2. TOKIOKA, James Kunane (VC)					
3. KARAMATSU, Jon Riki	- 1				
4. OSHIRO, Blake K.	- 1			•	
5. FINNEGAN, Lynn					
-					
				14.	

TOTAL	4			1	
The recommendation is: Adopted					
☐ Not Adopted					
If joint referral, did not support recommendation.					
committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office					