

LATE TESTIMONY

Representative Angus L.K. McKelvey, Chair
Representative Isaac Choy, Vice-Chair
Economic Revitalization, Business, & Military Affairs Committee

House of Representatives of the State of Hawai'i

Lance D. Collins, Esq.
Maui, Hawai'i

Thursday, February 5, 2009
Supporting HB No. 1428, Relating to Small Businesses

My name is Lance D. Collins. I am an private attorney practicing on the island of Maui who, as part of my practice, advises small businesses. I myself am a small business owner. I support this measure. Codifying the small business bill of rights will benefit small businesses.

One of the problems of not including the bill of rights in the permanent statutes is that many small businesses are not familiar with the sessions laws or permanent laws that are not codified in the statute. Many small businesses cannot afford attorneys or expensive law firms. Many owners go to the library or online to look at the permanent statutes. With the advent of uniform codification of laws in the last fifty years at the federal, state and county levels, many citizens are not aware that laws affecting them exist independent of the permanent statutes.

One small change that would further help the small business regulatory review board represent the diverse types of small businesses in this state is to ensure that, in addition to at least two members of the board be from each county and not more than two members of the board be from one particular industry, the requirement that when two members of the board are from one particular industry, they may also not be from the same island. Otherwise, less diversified board selections could result where each neighbor island contingent represents only one industry.

There seems to be natural political pressure that would tend against this absurdity. However, given the sometimes erratic and unusual decisions politics makes, it would be better to resolve this through a statutory limitation than to hope that the unexpected doesn't occur.

Mahalo for your support of Hawai'i's small businesses.