

STAND. COM. REP. NO.

1329

Honolulu, Hawaii

APR 20 2011

RE: GOV. MSG. NOS. 596,
597, 598, 599

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred Governor's Message Nos. 596, 597, 598, and 599, submitting for study and consideration the nominations of:

MOTOR VEHICLE REPAIR INDUSTRY BOARD

G.M. No. 596	SWEE L. BERKEY, for a term to expire 6-30-2015;
G.M. No. 597	STEVEN J.T. CHOW, for a term to expire 6-30-2015;
G.M. No. 598	WARREN HIGA, for a term to expire 6-30-2015; and
G.M. No. 599	ALAN M. NAKAMURA, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM789),

begs leave to report as follows:

Your Committee has reviewed the personal statements and resumes submitted by the nominees and finds Swee L. Berkey, Steven J. T. Chow, Warren Higa, and Alan M. Nakamura to possess the requisite qualifications to be nominated to the Motor Vehicle Repair Industry Board.

Your Committee received testimony in support of the nomination of Swee L. Berkey from the Department of Commerce and Consumer Affairs.



Upon review of the testimony, your Committee finds that this nominee has worked as a law librarian for over twenty years and, in that capacity, has developed familiarity with the State's regulatory structure. Your Committee notes that this nominee has been appointed to serve in the capacity of a public member on the Motor Vehicle Repair Industry Board representing the interests of the public on Oahu. Your Committee, accordingly, finds that this nominee's independence from the industry regulated by the Motor Vehicle Repair Industry Board gives her the ability to objectively assess matters before the Board. Your Committee also finds that this nominee well understands the Board's function as a regulator and problem-solver for members of the industry and the public. Finally, your Committee finds that this nominee's knowledge of state laws and regulations, independence, and desire to serve the public qualify her to serve as a public member of the Motor Vehicle Repair Industry Board.

Your Committee received testimony in support of the nomination of Steven J. T. Chow from the Motor Vehicle Repair Industry Board.

Upon review of the testimony, your Committee finds that, through practicing law for more than twenty years, this nominee for reappointment to the Motor Vehicle Repair Industry Board has gained experience and knowledge of state laws and regulations. Further, your Committee finds that this nominee has been a reliable member in his first term on the Motor Vehicle Repair Industry Board and has addressed the issues before the Board even-handedly, balancing the interests of the public with the promotion of commerce. Your Committee notes that this nominee's services as past President and current Board member of the Hawaii State Bar Association, a long-time leader in Friends of Hickam, Inc., past President and current Board member of Prevent Child Abuse Hawaii, and as past Vice Chair and Board member of the Board of Chiropractic Examiners demonstrate leadership and a commitment to public service. Your Committee finds that this nominee's experience and knowledge qualify him to continue to serve as a public member of the Motor Vehicle Repair Industry Board.

Your Committee received testimony in support of the nomination of Warren Higa from the Department of Commerce and Consumer Affairs.



Your Committee finds that this nominee has broad experience in the motor vehicle repair industry and has worked in the capacities of mechanic, business owner, and supervisor. Your Committee notes that this nominee holds professional certifications and licenses in automotive and aviation repair including an Automotive Service Excellence certificate, FAA Airframe and Power Plant certificate, state mechanic's license, and make-specific training certificates. Your Committee also finds that this nominee's experience within the motor vehicle repair industry, including as a direct service provider, supervisor, and small business owner have given him first-hand experience not only with the technical aspects of the industry, but also with customer service and the perspective of consumers. Your Committee further finds that this nominee's training, education, and experience qualify him for appointment to the Motor Vehicle Repair Industry Board.

Your Committee received testimony in support of the nomination of Alan M. Nakamura from the Department of Commerce and Consumer Affairs.

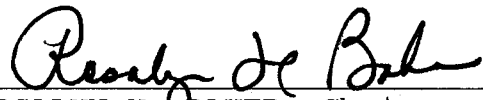
Upon review of the testimony, your Committee finds that this nominee has more than thirty-five years of experience in the retail gasoline and automotive repair industries as a certified technician and as owner-manager of Kaimuki Auto Repair, formerly known as Kaimuki Shell. Your Committee notes that this nominee has been recognized for excellence in his industry: Kaimuki Auto Repair received the Honolulu Star-Advertiser's People's Choice Award - Best of the Best 2010 Recipient for Auto Repair. Your Committee further finds that, in addition to managing a successful small business, this nominee has demonstrated a long-standing commitment to public service as a member of the Kaimuki Business Professional Association; Board member, coach, and administrator with the American Youth Soccer Association; volunteer coach with the Special Olympics; and President of the Aina Haina Elementary School Parent Teacher Association. Your Committee finds that this nominee's professional experience and commitment to public service qualify him for nomination to the Motor Vehicle Repair Industry Board.

Your Committee finds that Swee L. Berkey, Warren Higa, and Alan M. Nakamura have been nominated for appointment, and Steven J.T. Chow has been nominated for reappointment to the Motor Vehicle Repair Industry Board based on their knowledge, experience, and commitment to public service.



As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,

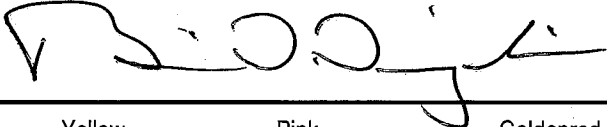


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN
Advise and Consent

Governor's Message No.:*	Committee Referral:	Date:		
596	CPN	04-05-11		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

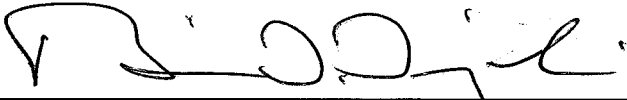
*Only one Governor's Message per Record of Votes

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Governor's Message No.:* <div style="text-align: center; font-size: 1.2em; font-family: cursive;">597</div>	Committee Referral: <div style="text-align: center; font-size: 1.2em; font-family: cursive;">CPN</div>	Date: <div style="text-align: center; font-size: 1.2em; font-family: cursive;">04-05-11</div>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	6	0	0	1
Recommendation:				
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Governor's Message No.:* <div style="text-align:center; font-size:1.5em;">598</div>	Committee Referral: <div style="text-align:center; font-size:1.2em;">CPN</div>	Date: <div style="text-align:center; font-size:1.5em;">04-05-11</div>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: center;"> <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345 </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="font-size: 2em; text-align: center;">  </div>				
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GREEN, M.D., Josh	✓			
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