

STAND. COM. REP. NO.

63

Honolulu, Hawaii

FEB 09 2011

RE: GOV. MSG. NO. 512

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

Sir:

Your Committee on Judiciary and Labor, to which was referred Governor's Message No. 512, submitting for study and consideration the nomination of:

DIRECTOR OF THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

G.M. No. 512      DWIGHT TAKAMINE,  
for a term to expire December 1, 2014,

begs leave to report as follows:

Your Committee has reviewed the personal history, resume, and statement submitted by the nominee and finds Dwight Takamine to possess the requisite qualifications to be nominated for Director of Labor and Industrial Relations.

Your Committee received testimony in support of the nomination of Dwight Takamine from United States Congressional Representative Colleen Hanabusa; Governor Neil Abercrombie; Robert K. Lindsey, Jr., Trustee, Office of Hawaiian Affairs; Clyde Namu'o, Chief Executive Officer, Office of Hawaiian Affairs; William Hoshijo, Executive Director, Hawai'i Civil Rights Commission; James P. Hardway, Executive Director, Workforce Development Council; Elaine Young, Senior Administrator, Workforce Development Division, Department of Labor and Industrial Relations; the Mayor of the county of Hawaii; Donald Ikeda, Council Member, Hawai'i County Council; International Brotherhood of Electrical Workers; The Hawaii Business League; Hawaii County Economic Opportunity Council; Hawaii Government Employees Association; Hawaii State AFL-CIO; Catholic Charities Hawai'i; Hawaii Laborers' Union; UNITE



HERE Local 5; ILWU Local 142; International Association of Rehabilitation Professionals; Keaukaha Pana'ewa Farmers Association; Goodwill Industries of Hawaii, Inc.; Board of Directors of the University of Hawaii Professional Assembly; Hawaii Carpenters Union; Inter-Agency Council for Immigrant and Refugee Services; Hawaii Fire Fighters Association; Hawaii Injured Worker's Alliance; Hawaii Employers' Mutual Insurance Company, Inc.; Hawaii Chapter, American Physical Therapy Association; Pride at Work Hawai'i; International Union of Painters and Allied Trades; District Council 50; Filipino Coalition for Solidarity; Nursing Advocates and Mentors, Inc.; Japanese Chamber of Commerce and Industry of Hawaii; Honokaa Business Association; Natural Cancer Wellness Foundation; and fifty-eight individuals.

Your Committee finds that Mr. Takamine has extensive legislative experience spanning from 1984, when he was first elected to the State House of Representatives, then later to the Senate in 2008, until November 2010, when he was appointed Interim Director of Labor and Industrial Relations. During his tenure in the House of Representatives, he served as the Chairperson of the Labor and Public Employment Committee for six years, the Water and Land Committee, and Finance Committee for eight years. After his election to the State Senate, he served as the Chairperson of the Labor Committee for two years. From this wide-ranging legislative experience, Mr. Takamine has developed a deep understanding of various labor programs, their benefit structure, and their impact on working families.

The various positions that Mr. Takamine held while representing portions of the Big Island involved leading the respective committees through numerous issues of severe complexity. As an example, he helped to lead and coordinate community recovery efforts following the closure of Hamakua Sugar Company, which involved establishing multiple task force structures within the community. The task forces identified needs and provided a community structure through which networking and a legislative lobbying effort was forged. He also worked closely with the Department of Labor and Industrial Relations on the Big Island, particularly with the unemployment insurance and workforce development programs.

Mr. Takamine also has substantial experience in the private practice of law. After he obtained a Juris Doctor degree from the William S. Richardson School of Law, Mr. Takamine has practiced law, primarily focused on labor law, handling cases in the areas



of workers' compensation, unemployment insurance, and labor arbitration. From his thirty years as a practicing attorney, Mr. Takamine has gained experience in the various benefits relating to labor-related areas, but also the administrative process that is used to resolve disputes. While at the Legislature, he also developed a thorough understanding of how policies enacted by the Legislature, of which he is a part, play out when applied in practice.

Testimony submitted in support of the nominee commended his extensive labor law and legislative experience. Many testifiers noted that the dual roles he has assumed over the years have made him extremely knowledgeable about the substantive laws that the Department of Labor and Industrial Relations enforces and also about the complex relationship between operating budgets and employee costs, while not losing sight of how these laws impact individual workers and businesses. Testifiers commended his collaborative style, resulting in an ability to listen to the needs and concerns of all parties while working toward practical solutions. Mr. Takamine is described as an individual possessing the highest integrity, dedication to public service, honesty, professional and personal ethics, sound judgment, respect and understanding for others of diverse backgrounds and positions, and the ability to handle leadership responsibly, fairly, and compassionately.

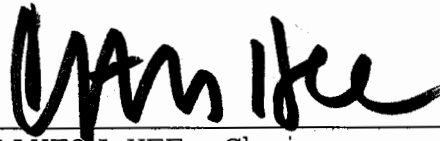
Your Committee finds that, based on the testimony submitted on his behalf, Mr. Takamine is uniquely qualified to serve as the Director of Labor and Industrial Relations. With his diverse experience within the public and private sectors, Mr. Takamine has an impressive familiarity with the substantive laws and programs that the Department of Labor and Industrial Relations will enforce, and knowledge about how these substantive laws and policies work in practice gained through his representation of clients navigating through the process. Additionally, he has gained helpful experience grappling with budget complexities and the legislative process, and working relationships forged with business community, government agencies, nonprofit organizations, legislators, and other community members. Your Committee believes that his expertise in the labor law area and his exemplary personal qualities will serve the Department of Labor and Industrial Relations very well.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report,



your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,




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CLAYTON HEE, Chair



**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**  
**Advise and Consent**

Governor's Message No.:* <div style="font-size: 1.5em; text-align: center;">512</div>	Committee Referral: <div style="text-align: center;">JDL</div>	Date: <div style="font-size: 1.5em; text-align: center;">02-01-2011</div>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340 <span style="margin-left: 150px;"><input type="checkbox"/> Not Advise and Consent 2345</span>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
SLOM, Sam				✓
<b>TOTAL</b>	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 150px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature: <div style="text-align: center; font-size: 1.5em;"></div>				
<b>Distribution:</b> <span style="margin-left: 50px;">Original</span> <span style="margin-left: 100px;">Yellow</span> <span style="margin-left: 100px;">Pink</span> <span style="margin-left: 100px;">Goldenrod</span>				
<span style="margin-left: 50px;">File with Committee Report</span> <span style="margin-left: 100px;">Clerk's Office</span> <span style="margin-left: 100px;">Drafting Agency</span> <span style="margin-left: 100px;">Committee File Copy</span>				

\*Only one Governor's Message per Record of Votes