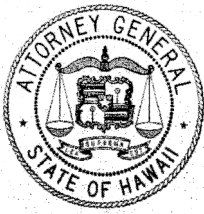


GM753



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SIXTH LEGISLATURE, 2012**

ON THE FOLLOWING MEASURE:

G.M. NO. 753, Submitting for Consideration and Confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, KEVIN SUMIDA, for a Term to Expire 6-30-2016.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Tuesday, March 20, 2012

TIME: 10:15 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): David M. Louie, Attorney General, or
Russell A. Suzuki, First Deputy Attorney General,
or Maurice S. Kato, Deputy Attorney General

Chair Hee and Members of the Committee:

The Attorney General strongly supports the reappointment of Kevin Sumida to the Commission to Promote Uniform Legislation of the Department of the Attorney General.

The Commission to Promote Uniform Legislation is advisory to both the Attorney General and the Legislature on matters pertaining to uniform legislation. Members of the Commission are Hawaii's representatives to the National Conference of Commissioners on Uniform State Laws. The National Conference requires that each appointed commissioner be a lawyer licensed to practice law and that each commissioner personally attend and participate in its annual meeting.

Kevin Sumida is a lawyer licensed to practice law and has regularly attended and participated in the annual meetings of the National Conference as well as the National Conference's committee meetings, although he did not attend the annual meetings in 2009 and 2010 due to funding restrictions. The National Conference's committee appointments are selectively made by the President of the National Conference -- not all members of the National Conference have the privilege of serving on a committee. Since his reappointment in 2008, Commissioner Sumida served on the Standby Committee on a Uniform Limited Cooperative Association Act and on the Standby Committee on the Uniform Unsworn Foreign Declarations Act for 2008-2009. He also served on the Drafting Committee on Harmonization of Business Entity Acts for 2009-2010. He continued to serve on the Standby Committee on the Uniform Unsworn Foreign Declarations Act in 2009-2010 and was appointed to serve on the Enactment

Committee for the Uniform Unsworn Foreign Declarations Act for 2010-2011. Commissioner Sumida also continued to serve as a member of the Drafting Committee on Harmonization of Business Entity Acts in 2010-2011 and served on the Standby Committee on Harmonization of Business Entity Acts for 2010-2011 and 2011-2012. For 2011-2012, he is also serving on the Drafting Committee to Revise the Uniform Residential Landlord and Tenant Act. Commissioner Sumida attended committee meetings held on the mainland, usually on weekends, and participated in numerous and sometimes lengthy telephone conference calls as a member of the committees.

In addition to attending meetings and participating in the activities of the National Conference, Commissioner Sumida has regularly attended and participated in the meetings and activities of the Commission to Promote Uniform Legislation. In the promotion of uniform legislation, the members of the Commission provide information on uniform laws to interested organizations, officials of the Executive Branch, and interested legislators, including presenting testimony during hearings on bills to enact new or revised uniform laws. In January 2009, Commissioner Sumida attended a meeting of nonprofit organizations to discuss a new act for nonprofit organizations, the Uniform Prudent Management of Institutional Funds Act. A bill to enact that uniform law was passed by the Legislature during the regular session of 2009 and became law in Hawaii. During the regular session of 2009, Commissioner Sumida attended hearings and presented testimony on bills to enact the Uniform Mediation Act and the Uniform Foreign Country-Money Judgments Recognition Act. The bill to enact the latter uniform law was passed by the Legislature and approved by the Governor on April 3, 2009. During the regular session of 2010, Commissioner Sumida presented testimony on bills to enact the Uniform Adult Guardianship and Protective Proceedings Act and, during the regular session of 2011, he presented testimony on bills to enact the Uniform Interstate Family Support Act amendments and the Uniform Military and Overseas Voters Act.

In view of his demonstrated commitment to the promotion of uniform legislation and his continuing participation in the activities of the National Conference and of the Commission to Promote Uniform Legislation, the continued service of Kevin Sumida as a member of the Commission and of the National Conference will be greatly beneficial to the State of Hawaii and the National Conference. Consequently, the Attorney General respectfully requests that this Committee recommend the confirmation of the reappointment of Kevin Sumida to the Commission to Promote Uniform Legislation.

TO: Senator Clayton Hee, Chair
Senator Maile S. L. Shimabukuro, Vice Chair
And Members, Senate Committee on Judiciary and Labor

RE: Testimony in support of **GM 753**, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, KEVIN SUMIDA, for a term to expire 6-30-2016

HEARING: Tuesday, March 20, 2012, 10:15 a.m., Conference Room 016

It gives me great pleasure to submit this testimony in support of the nomination of KEVIN SUMIDA to serve another term on Hawaii's Commission to Promote Uniform Legislation ("CPUL").

All of the commissioners on the CPUL serve as commissioners to the Uniform Law Commission ("ULC"), which is a body of attorneys from all States who spend countless hours, without pay, to develop proposed laws to be enacted in all States. ULC's goal is to provide uniformity in the laws among the States without sacrificing control to the federal government. The best known products of ULC include the Uniform Commercial Code, the Uniform Probate Code, the Uniform Transfers to Minors Act and the Uniform Partnership Act, all of which have been adopted in Hawaii; these and other uniform laws affect the lives of residents of Hawaii and other States every single day.

A commissioner's duties are two-fold: First, the commissioner needs to participate in the drafting of uniform laws, including the careful review and consideration of their provisions on a line-by-line, and sometimes, word-by-word, basis. Secondly, the commissioner needs to work with the legislature of his or her State to get uniform laws enacted.

As a fellow commissioner on the CPUL, I know that Kevin Sumida has diligently and enthusiastically fulfilled those duties. Kevin has been appointed by the Executive Committee of ULC to serve on several drafting committees, including the committee which worked on the Harmonization of Business Entities Act. Members of a drafting committee attend additional meetings during the year to discuss and draft new acts

for presentation to all the commissioners at the annual summer meetings. His work on drafting committees has sometimes involved matters outside of his normal practice of law, but he is an active participant in the review of the proposed uniform laws and makes valuable contributions to the final products. Kevin also raises thoughtful questions and suggestions for other the drafting committees during the floor sessions at the ULC annual summer meetings.

Kevin can always be counted on to testify at hearings on bills for uniform acts and to be available to provide background information to legislators and all others interested in the acts. He plays a vital role in ensuring that the products of the ULC are enacted by the legislature to benefit the people of this state.

I have no reservation in supporting the nomination of Kevin Sumida for an additional term on the CPUL. Kevin has been and will continue to be an outstanding commissioner on the CPUL and an outstanding representative of Hawaii to the ULC. I strongly urge you to recommend that the Senate confirm his nomination.

Respectfully submitted,



Lani L. Ewart
Chair and Member,
Commission to Promote Uniform Legislation

**TESTIMONY
of Ken Takayama**

ON G.M. No. 753

**SUBMITTING FOR CONSIDERATION AND CONFIRMATION
TO THE COMMISSION TO PROMOTE UNIFORM
LEGISLATION, GUBERNATORIAL NOMINEE,
KEVIN SUMIDA, FOR A TERM TO EXPIRE 6-30-2016 .**

BEFORE THE SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Tuesday, March 20, 2012, at 10:15 a.m.
Conference Room 016, State Capitol

PERSON(S) TESTIFYING: KEN TAKAYAMA, Commissioner
Commission to Promote Uniform Legislation

To Chair Hee, Vice Chair Shimabukuro, and Members of the Committee:

Thank you very much for this opportunity to testify in strong support of Senate confirmation of Kevin Sumida to another term on the State Commission to Promote Uniform Legislation.

I have had the pleasure of working with Kevin as a fellow commissioner for the past eight years and can attest that he is a conscientious, dedicated, and extremely hard working commissioner. During his most recent term, he has served or is serving on the Drafting Committee on the Harmonization of Business Entities acts, the Enactment Committee for the Unsworn Declarations Act, and has just begun serving on the Drafting Committee to Revise the Residential Landlord Tenant Code. The Landlord Tenant Code has become an important piece of legislation in Hawaii that affects the lives of many, and I believe it valuable that we have Kevin participating in deliberations to update this law.

Kevin has been involved in more than just the development of proposed uniform laws. He has also been an enthusiastic participant in our commission's efforts to get proposals for uniform laws enacted in the State. I have long believed that while the development of good proposals for uniform laws is important, it is not enough to do just that. The real benefit to the people of Hawaii and this nation is in the enactment of those laws in the respective states. Kevin

TESTIMONY on G.M. NO. 753
Senate JDL on 3/20/2012

has been a significant contributor at both ends.

For the foregoing reasons, I respectfully request that this Committee advise and consent to the appointment of Kevin Sumida to a term on the Commission to Promote Uniform Legislation to expire on June 30, 2016.

Thank you very much for this opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: vested_interest_hi@yahoo.com
Subject: Testimony for GM753 on 3/20/2012 10:15:00 AM
Date: Thursday, March 15, 2012 8:32:52 PM

Testimony for JDL 3/20/2012 10:15:00 AM GM753

Conference room: 016
Testifier position: Support
Testifier will be present: No
Submitted by: Elizabeth Kent
Organization: Individual
E-mail: vested_interest_hi@yahoo.com
Submitted on: 3/15/2012

Comments:

It is my pleasure to submit testimony in strong support of Kevin Sumida's nomination. Having served on Hawaii's Uniform Law Commission with Kevin, I know that he is intelligent, hard working, dedicated, and represents Hawaii well. I strongly urge you to take positive action on his nomination.

MCCORRISTON MILLER MUKAI MACKINNON LLP

ATTORNEYS AT LAW

March 15, 2012

Honorable Clayton Hee, Chair
Honorable Maile S. L. Shimabukuro, Vice Chair
Committee on Judiciary and Labor
The Senate
State Capitol
415 South King Street
Honolulu, Hawaii 96813

Re: GM 753 submitting for consideration and confirmation to the
Commission to Promote Uniform Legislation, Gubernatorial Nominee,
Kevin Sumida, for a term to expire 06-30-2016

Dear Chair Hee, Vice-Chair Shimabukuro and Committee Members:

Thank you for the opportunity to submit this testimony in support of GM 753, submitting the nomination of Kevin Sumida to serve on the Commission to Promote Uniform Legislation, which will be heard by your Committee on Judiciary and Labor on March 20, 2012.

Mr. Sumida and I were originally were appointed to the Commission to Promote Uniform Legislation in 2005 and reappointed in 2008. As a colleague of Mr. Sumida, I can attest first hand to his effectiveness as a Commissioner. Mr. Sumida is an spirited participant in floor debates at the national meetings of commissioners and actively involved in drafting committees. Mr. Sumida also spends many hours during the Hawaii legislative sessions supporting the enactment of uniform laws. His service on the Commission is an asset for the State of Hawaii and I strongly support Mr. Sumida's reappointment to the Commission to Promote Uniform Legislation.

For these reasons, I would like to express my support for Mr. Sumida's nomination to the Commission to Promote Uniform Legislation.

Very truly yours,

MCCORRISTON MILLER MUKAI MACKINNON LLP



Peter J. Hamasaki