



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-EIGHTH LEGISLATURE, 2016**

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**ON THE FOLLOWING MEASURE:**

G.M. NO. 697, SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE COMMISSION TO PROMOTE UNIFORM LEGISLATION, GUBERNATORIAL NOMINEE, KEVIN SUMIDA, FOR A TERM TO EXPIRE 6-30-2020.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY AND LABOR

**DATE:** Monday, April 18, 2016 **TIME:** 9:30 a.m.  
**LOCATION:** State Capitol, Room 325  
**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Russell A. Suzuki, First Deputy Attorney General, or  
Maurice S. Kato, Deputy Attorney General

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Chair Keith-Agaran and Members of the Committee:

The Attorney General 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 the Attorney General and to 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, which is also known as the "Uniform Law Commission." 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 and the National Conference's committee meetings. 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 2012, Commissioner Sumida served on the Standby Committee on Harmonization of Business Entity Acts, the Drafting Committee to Revise the Uniform Residential Landlord and Tenant Act, and the Standby Committee on Revised Uniform Residential Landlord and Tenant Act. Commissioner Sumida attended committee meetings held in Washington, D.C., and in Chicago, Illinois, usually on weekends, and participated in telephone conference calls as a member of the committees.

Since his last reappointment, he has attended the National Conference's annual meetings held in Tennessee, Massachusetts, Washington, and Virginia.

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. Commissioner Sumida testified on bills to enact the Uniform Interstate Depositions and Discovery Act, the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, the Uniform Child Testimony by Alternative Methods Act, and the Uniform Mediation 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 Hawai'i 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.

**DATE:** April 14, 2016

**TO:** Senator Gilbert S. C. Keith-Agaran, Chair  
Senator Maile S. L. Shimabukuro, Vice Chair  
And Members, Senate Committee on Judiciary and Labor

**RE:** Testimony in support of **GM 697**, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, KEVIN SUMIDA, for a term to expire 6-30-2020

**HEARING:** Monday, April 18, 2016, 9:30 a.m., Conference Room 325

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 ULC 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.

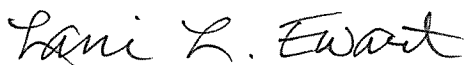
As a fellow commissioner on the CPUL, I know that Kevin Sumida has diligently and enthusiastically fulfilled those duties. Kevin has been appointed by the Executive Committee of ULC to serve on several drafting committees, including the committee which worked on the Harmonization of Business Entities 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 ROBERT TOYOFUKU IN SUPPORT OF  
THE NOMINATION OF KEVIN P.H. SUMIDA  
TO THE COMMISSION TO PROMOTE UNIFORM LEGISLATION

April 18, 2016

To: Chairman Gilbert Keith-Agaran and Members of the Senate Committee on Judiciary  
and Labor:

My name is Bob Toyofuku and this testimony is being submitted in support of the  
nomination of Kevin Sumida to the Commission to Promote Uniform Legislation.

I have been a Commission member for over 34 years and am currently a life  
member of the Uniform Law Commission (National Conference of Commissioners on  
Uniform State Laws). Mr. Sumida has served as a Hawaii Commissioner for the past  
eleven years and I can clearly state that he has been a valuable member of the Uniform  
Law Commission. Kevin has been an active member of the Commission. He currently  
serves on two drafting committees of the Commission, has participated in the discussions  
and deliberations at each annual meeting, and has represented the views of the Hawaii  
Commission on various uniform acts which are submitted each year at the state  
legislature. I am confident that he will continue to contribute to the Hawaii Commission  
and the Conference during his next term as commissioner.

I strongly support his nomination. Thank you for the opportunity to submit this  
testimony.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, April 15, 2016 8:03 AM  
**To:** JDLTestimony  
**Cc:**  
**Subject:** Submitted testimony for GM697 on Apr 18, 2016 09:30AM

**GM697**

Submitted on: 4/15/2016

Testimony for JDL on Apr 18, 2016 09:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Kent	Individual	Support	No

Comments: Aloha, It is my pleasure to submit testimony in strong support of the nomination of Kevin Sumida to another term as a Uniform Law Commissioner. I have had the privilege of working with Mr. Sumida as a commissioner, and so I know from first hand knowledge that he is smart and hard working. In addition, he is thoughtful, able to make important decisions in a timely manner and at the same time remain open to input, and willing to take on assignments. He is also wonderful to work with. I urge you to confirm Mr. Sumida for another term. Thank you for your consideration of my testimony. Elizabeth Kent

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, April 14, 2016 4:35 PM  
**To:** JDLTestimony  
**Cc:**  
**Subject:** \*Submitted testimony for GM697 on Apr 18, 2016 09:30AM\*

**GM697**

Submitted on: 4/14/2016

Testimony for JDL on Apr 18, 2016 09:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ken Takayama	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, April 17, 2016 10:35 AM  
**To:** JDLTestimony  
**Cc:**  
**Subject:** \*Submitted testimony for GM697 on Apr 18, 2016 09:30AM\*

**GM697**

Submitted on: 4/17/2016

Testimony for JDL on Apr 18, 2016 09:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melanie Matsui	Individual	Support	No

Comments:

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# MCCORRISTON MILLER MUKAI MACKINNON LLP

ATTORNEYS AT LAW

April 15, 2016

Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S. L. Shimabukuro, Vice-Chair  
Committee on Judiciary and Labor  
The Senate  
State Capitol  
415 South King Street  
Honolulu, Hawai'i 96813

RE: GM 697 - Submitting for consideration and confirmation to the Commission To Promote Uniform Legislation, Gubernatorial Nominee, KEVIN SUMIDA, for a term to expire 06-30-2020.

Dear Chair Keith-Agaran, Vice Chair Shimabukuro and Committee Members:

This testimony is in support of Governor's Message No. 697, Submitting for consideration and confirmation to the Commission To Promote Uniform Legislation, Gubernatorial Nominee, KEVIN SUMIDA, for a term to expire 06-30-2020., which is to be heard by your Committee on Judiciary and Labor on Monday, April 18, 2016, at 9:30 a.m.

I have served with Mr. Sumida on the Commission to Promote Uniform Legislation ("Commission") since 2005, and strongly support his re-appointment to the Commission. Mr. Sumida's keen legal analysis and diligence are of great assistance to the Commission in reviewing and considering the various uniform measures that annually are presented to the Commission.

Thank you for your consideration.

Very truly yours,



Peter J. Hamasaki