

STAND. COM. REP. NO. 1813

Honolulu, Hawaii

APR 20 2021

RE: GOV. MSG. NOS. 773,
774, 775

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred Governor's Message Nos. 773, 774, and 775, submitting for study and consideration the nominations of:

CONTRACTORS LICENSE BOARD

- G.M. No. 773 JERRY NISHEK,
for a term to expire 06-30-2025;
- G.M. No. 774 JOSEPH O'DONNELL,
for a term to expire 06-30-2025; and
- G.M. No. 775 CLYDE HAYASHI,
for a term to expire 06-30-2025,

begs leave to report as follows:

Your Committee reviewed the personal histories, resumes, and statements submitted by Jerry Nishek, Joseph O'Donnell, and Clyde Hayashi for service on the Contractors License Board.

JERRY NISHEK

Your Committee received testimony in support of the nomination for the appointment of Jerry Nishek from the Department of Commerce and Consumer Affairs; Contractors Association of Kaua'i; Pacific Blue Construction, LLC; and one individual.

Upon review of the testimony, your Committee finds that Mr. Nishek's background and dedication to serving the public



qualify him to be appointed to the Contractors License Board as a licensed general contractor member from Kauai. Your Committee notes that Mr. Nishek has been a licensed landscape contractor in Hawaii for forty years and a licensed general contractor for twenty-five years. Mr. Nishek has worked with Kauai Nursery & Landscaping, Inc. since 1979 where he currently serves as the general manager and corporate treasurer. Mr. Nishek is also knowledgeable in general building and general engineering and has considerable experience with both small and large contracting projects that require coordination with multiple trade contractors. Your Committee further notes that Mr. Nishek has served as a member of numerous professional and community organizations and has a thorough understanding of the role and responsibilities of board members. Mr. Nishek's extensive experience in contracting will continue to enhance the effectiveness of the Contractors License Board. Your Committee therefore recommends that Mr. Nishek be appointed to the Contractors License Board based on his knowledge, background, and dedication to public service.

JOSEPH O'DONNELL

Your Committee received testimony in support of the nomination for the reappointment of Joseph O'Donnell from the Contractors License Board and Torkildson, Katz, Hetherington, Harris & Knorek, Attorneys at Law.

Upon review of the testimony, your Committee finds that Mr. O'Donnell's experience, knowledge, and proven leadership on the Contractors License Board qualify him for reappointment to the Board as a public member. Your Committee notes that Mr. O'Donnell has been employed by the Ironworkers Union Local 625 for over thirty years and is currently the financial secretary, treasurer, and business manager. Mr. O'Donnell also serves as the Trustee of the Hawaii Ironworkers Structural Pension Plan and the Hawaii Ironworkers Administration Office. Your Committee further notes that Mr. O'Donnell has an extensive history of public service and currently serves as Chair of the City and County of Honolulu Liquor Commission and as a member of the Hawaii Occupational Safety and Health Advisory Committee. Your Committee finds that Mr. O'Donnell has served on the Contractors License Board since 2019 and his experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Mr. O'Donnell be reappointed to the Contractors License Board



based on his experience, knowledge, and commitment to public service.

CLYDE HAYASHI

Your Committee received testimony in support of the nomination for the reappointment of Clyde Hayashi from the Contractors License Board, Prince Kūhiō Hawaiian Civic Club, and International Longshore & Warehouse Union Local 142.

Upon review of the testimony, your Committee finds that Mr. Hayashi's experience, knowledge, and proven leadership on the Contractors License Board qualify him for reappointment to the Board as a public member. Your Committee notes that Mr. Hayashi has over thirty years of experience in labor unions and government relations and is currently employed by the Hawaii Ironworkers' Stabilization Fund in government affairs. Previously, Mr. Hayashi served as the State Community Services Liaison for the American Federation of Labor & Congress of Industrial Organizations/Aloha United Way Partnership for ten years. Mr. Hayashi also worked for ten years as a boilermaker apprentice and a boilermaker mechanic in Pearl Harbor Naval Shipyard. Your Committee further finds that Mr. Hayashi has served on the Contractors License Board since 2019 and his unique experience with shipyard trades, the construction industry, health and human services community, labor unions, and government relations will continue to be assets to the Board. Your Committee therefore recommends that Mr. Hayashi be reappointed to the Contractors License Board based on his experience, knowledge, 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
 Thirty-First Legislature
 State of Hawai'i

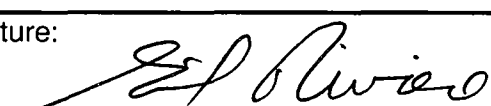
Record of Votes
Committee on Commerce and Consumer Protection
CPN
Advise and Consent

Governor's Message No.:* GM 773	Committee Referral: CPN	Date: 04.09.2021		
<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)	X			
CHANG, Stanley (VC)	X			
MISALUCHA, Bennette E.	X			
NISHIHARA, Clarence K.	X			
RIVIERE, Gil	X			
SAN BUENAVENTURA, Joy A.	X			
FEVELLA, Kurt	X			
TOTAL	7	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one Governor's Message per Record of Votes

The Senate
 Thirty-First Legislature
 State of Hawai'i

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

Governor's Message No.:* GM 774	Committee Referral: CPN	Date: 04.09.2021		
<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)	X			
CHANG, Stanley (VC)	X			
MISALUCHA, Bennette E.	Y			
NISHIHARA, Clarence K.	Y			
RIVIERE, Gil	Y			
SAN BUENAVENTURA, Joy A.	Y			
FEVELLA, Kurt	Y			
TOTAL	7			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
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File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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Advise and Consent

Governor's Message No.:* GM 775	Committee Referral: CPN	Date: 04.09.2021		
<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)	✓			
CHANG, Stanley (VC)	✓			
MISALUCHA, Bennette E.	✓			
NISHIHARA, Clarence K.	✓			
RIVIERE, Gil	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	7 <i>for</i>			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Bennette E. Misalucha</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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