



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:

G.M. NO. 525, SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE COMMISSION TO PROMOTE UNIFORM LEGISLATION, GUBERNATORIAL NOMINEE, PETER HAMASAKI, FOR A TERM TO EXPIRE 06-30-2024.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Wednesday, March 10, 2021 **TIME:** 9:45 a.m.

LOCATION: State Capitol, Via Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Jill T. Nagamine,
Deputy Attorney General, at 586-1276)

Chair Rhoads and Members of the Committee:

The Attorney General supports the reappointment of Peter Hamasaki 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.

Peter Hamasaki 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 initial appointment, Commissioner Hamasaki has served as a member of the National Conference's Drafting Committee on Registered Agents and Annual Filing Requirements Act, the Standby Committee on Model Registered Agents Act and

Amendments to Entity Acts to Rationalize Annual Filings, the Drafting Committee to Revise the Uniform Law on Notarial Acts, the Standby Committee to Revise the Uniform Law on Notarial Acts, the Drafting Committee on the Common Interest Ownership Act, and the Study Committee on Emergency Family Court Orders. Since his last reappointment, Commissioner Hamasaki physically attended the National Conference's annual meetings held in Vermont, California, Kentucky, and Alaska.

During 2020, Commissioner Hamasaki attended meetings by means of interactive conference technology, including the National Conference's annual meeting, six meetings of the Uniform Common Ownership Interest Act Drafting Committee, and meetings on the Revised Uniform Law on Notarial Acts Standby Committee, the Study Committee on Emergency Family Court Orders, the Drafting Committee on Registration and Licensing of Direct-to-Consumer Sales of Wine and Prevention of Illegal Sales Act Listening Session, and a Hawaii Legislative Planning Session.

In addition to attending the meetings of the National Conference, Commissioner Hamasaki 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 Hamasaki attended in-person meetings in early 2020 with the ACLU on the Uniform Employee and Student Online Privacy Protection Act, and with Attorney General staff and others on the Revised Uniform Law on Notarial Acts.

Commissioner Hamasaki provided testimony and comments to several legislative committees in 2020 on both the Uniform Employee and Student Online Privacy Protection Act, and the Revised Uniform Law on Notarial Acts. During the 2020 Hawaii legislative regular session and prior to the Capitol being closed to the public due to the pandemic, Commissioner Hamasaki spent approximately 30 hours reviewing bills and preparing testimony and correspondence and testifying in House

and Senate committees on various uniform-law-related bills. In addition, he attended multiple hearings and meetings regarding H.B. No.1904 and S.B. No. 2010, relating to the Uniform Employee and Student Online Privacy Protection Act. He also met or corresponded with agency, legislative, and third-parties and attended multiple hearings regarding H.B. No. 2294 and S.B. No. 2275 relating to the Revised Uniform Law on Notarial Acts. The Thirtieth Legislature passed S.B. No. 2275, Relating to Notarial Acts.

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 Peter Hamasaki 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 Peter Hamasaki to the Commission to Promote Uniform Legislation.

DATE: March 8, 2021

TO: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalohe, Vice Chair
And Members, Senate Committee on Judiciary

RE: Testimony in support of **GM 525**, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, PETER HAMASAKI, for a term to expire 6-30-2024

HEARING: Wednesday, March 10, 2021, 9:45 a.m., Via Videoconference

I strongly support the nomination of PETER HAMASAKI 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, with a goal to provide uniformity in the laws among the States.

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 through many meetings. Secondly, the commissioner needs to work with the legislature of his or her State to get uniform laws enacted.

Peter Hamasaki has a busy legal practice, but he has never hesitated to devote the time and energy necessary to fulfill the duties of a commissioner. Working with Peter on the CPUL, I have observed first hand his active participation in all phases of the long and detailed process of preparing a uniform act for enactment – (1) working on drafting committees at meetings during the year to discuss and draft new acts for presentation to all the ULC commissioners at the annual summer meetings, (2) attending the annual meetings (at times at his own expense) to consider and finalize the products of all drafting committees, and (3) preparing testimony and testifying in support of the uniform acts at the Hawai'i legislature. Peter also promptly responds to questions from legislative staff and

any parties interested in the uniform acts that he has worked on to give them the information they need to understand the proposed legislation and its benefits.

I support the nomination of Peter Hamasaki for an additional term on the CPUL without reservation. Peter 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

GM-525

Submitted on: 3/7/2021 3:31:33 PM

Testimony for JDC on 3/10/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Kent	Individual	Support	No

Comments:

Aloha,

Thank you for the opportunity to submit testimony in support of Peter Hamasaki's nomination to the Commission to Promote Uniform Legislation. Having served with him on this Commission, I know that Peter is intelligent, hard working, thorough, and easy to work with. He brings a wealth of expertise to the Commission and I urge his confirmation as soon as possible.

Elizabeth Kent

Ken H. Takayama
5567 Pia Street
Honolulu, Hawaii 96821

Governor's Message No. 525

March 8, 2021

Confirmation of Peter Hamasaki to the Commission to Promote Uniform Legislation

Presented to the Senate Committee on Judiciary
Thirty First State Legislature, Regular Session of 2021
Hearing date: Wednesday, March 10, 2021, at 9:45 a.m. Via Video Conference.

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary. Thank you very much for this opportunity to testify in **strong support** of G.M. No. 525 appointing Peter Hamasaki to a term on the Commission to Promote Uniform Legislation (CPUL) to expire on June 30, 2024.

My name is Ken Takayama, and I had the pleasure of serving with Mr. Hamasaki as a fellow member of the CPUL for sixteen years from 2002 to 2019.

I can say without hesitation or reservation that he has been and still is a hardworking , conscientious, and dedicated member of the commission. He has developed into a highly effective team player with a wide range of knowledge and skills that enable him to serve in a wide variety of roles, including:

- (1) At the national level, serving on the Drafting Committees on:
 - (A) The Revised Uniform Law on Notarial Acts; and
 - (B) The Model Registered Agents Act; and

- (2) At the state level, he has readily carried out the work of the Commission by:

- (A) Volunteering to testify at legislative hearings on any number of measures to enact proposed uniform laws, such as the:

- (i) Uniform Child Abduction Prevention Act; and
- (ii) Uniform Fiduciary Access to Digital Assets Act;

- (B) His willingness to be involved extends to efforts during the interim periods between sessions—such as meeting and otherwise collaborating with interested parties, including:

(i) The Probate Section of the Hawaii State Bar Association on the Uniform Real Property Transfer on Death Act; and

(ii) The Bureau of Conveyances on the Uniform Real Property Electronic Recording Act.

For the foregoing reasons, I respectfully request that this Committee recommend that the Senate advise and consent to the appointment of Peter Hamasaki to a term on the Commission to Promote Uniform Legislation to expire on June 30, 2024.

Thank you very much for this opportunity to submit testimony.

Ken H. Takayama
Former Commissioner
Commission to Promote Uniform Legislation

Life Member

Uniform Law Commission