

STAND. COM. REP. NO. 2017

Honolulu, Hawaii

APR 28 2023

RE: GOV. MSG. NO. 508

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred Governor's Message No. 508, submitting for study and consideration the nomination of:

DIRECTOR, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

G.M. No. 508 NADINE ANDO,
for a term to expire at noon on 12-07-
2026,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Nadine Ando for service as the Director of the Department of Commerce and Consumer Affairs.

Your Committee received testimony in support of the nomination for the appointment of Nadine Ando from the Governor; Department of Agriculture; Department of Budget and Finance; Department of Commerce and Consumer Affairs; Department of Health; Department of Human Resources Development; Department of Human Services; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Taxation; Department of Transportation; Hawaii Public Housing Authority; Healthcare Association of Hawaii; Kaiser Permanente Hawai'i; American Resort Development Association - Hawaii; Capitol Consultants of Hawaii, LLP; Hawai'i Association of REALTORS; Hawaii Electricians Market Enhancement Program; Hawaii Medical Service Association; International Brotherhood of Electrical Workers Local Union No. 1186; Imanaka Asato; Marriott Vacations Worldwide Corporation; Hawaii Credit Union League; and forty-six individuals. Your

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Committee received testimony in opposition to the nomination for the appointment of Nadine Ando from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Ms. Ando's background, experience, and commitment to public service qualify her for appointment as Director of Commerce and Consumer Affairs. Ms. Ando has served as interim Director of Commerce and Consumer Affairs since December 2022. At the time of her appointment, Ms. Ando was working as litigation counsel with the law firm of Fukunaga Matayoshi Ching & Kon-Herrera, LLP. Ms. Ando serves on the Advisory Committee of the Bar Leadership Institute; as Chair and Commissioner of the Hawaii State Judicial Selection Commission; and is the Lawyer-Delegate for the United States District Court, Hawaii Judicial Conference. Ms. Ando has extensive background in commercial and real estate litigation, professional liability law, insurance coverage, products liability, and employment litigation, having been a partner with some of the State's most highly respected law firms over the course of her forty year career as an attorney. Ms. Ando has received consistent professional recognition for her work, having been listed in Best Lawyers of America and Super Lawyers for her commercial litigation practice since 2006 and 2008, respectively.

Overwhelming testimony indicates that Ms. Ando is respected by her colleagues. Testimony in support of her nomination indicates that she has a proven track record of being a diligent worker, an effective problem solver, and an open-minded leader. Testifiers who have worked closely with Ms. Ando commented that, in her time as Interim Director of Commerce and Consumer Affairs, she has demonstrated her ability to quickly grasp and understand complex issues facing the Department. Other testifiers noted that Ms. Ando brings a leadership style that welcomes collaboration and ideas for improvement.

Your Committee notes from Ms. Ando's personal statement that her vision for the Department of Commerce and Consumer Affairs is to modernize processes across the Department, improve efficiency and customer engagement with the Department for public facing agencies, and streamline workload processes for Department staff. Ms. Ando also highlighted the need to provide cross division access to data and information to increase the Department's ability to flag individuals and business entities who are not in



compliance with state law; address vacancy and retention issues within the Department, as well as succession planning for divisions for employees with institutional knowledge; improve professional and vocational licensing processes to alleviate the shortage of critical workers; and encourage telecommunications providers to expand infrastructure and access to unserved and underserved communities in the State.

Your Committee finds that Ms. Ando's leadership abilities, professional experience, and accomplishments will be valuable assets to the Department of Commerce and Consumer Affairs, the State of Hawaii, and its consumers and businesses. Your Committee therefore recommends that Nadine Ando be appointed as the Director of Commerce and Consumer Affairs based on her extensive knowledge, background, and dedication to serving the public.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection 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 Commerce and
Consumer Protection,




JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

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

Governor's Message No.:* GM508	Committee Referral: CPN	Date: 4/19/23		
<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
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Governor's Message per Record of Votes