

STAND. COM. REP. NO. **3936**

Honolulu, Hawaii

APR 25 2024

RE: GOV. MSG. NOS. 708,
742, 743, 744

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred Governor's Message Nos. 708, 742, 743, and 744, submitting for study and consideration the nominations of:

MOTOR VEHICLE INDUSTRY LICENSING BOARD

G.M. No. 708	NICHOLAS CHING, for a term to expire 06-30-2028;
G.M. No. 742	WAYNE DE LUZ, for a term to expire 06-30-2028;
G.M. No. 743	KENNETH OBENSKI, for a term to expire 06-30-2028; and
G.M. No. 744	CARLETON WILLIAMS, for a term to expire 06-30-2028,

begs leave to report as follows:

Your Committee reviewed the personal histories, resumes, and statements submitted by Nicholas Ching, Wayne De Luz, Kenneth Obenski, and Carleton Williams for service on the Motor Vehicle Industry Licensing Board.

NICHOLAS CHING

Your Committee received testimony in support of the nomination for the appointment of Nicholas Ching from the Department of Commerce and Consumer Affairs and one individual.

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Upon review of the testimony, your Committee finds that Mr. Ching's background, experience, and dedication to community service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as a public member. Mr. Ching is a licensed attorney with over a decade of litigation experience and currently works at Fukunaga Matayoshi Ching & Kon-Herrera LLP, where he practices in the area of civil litigation. Previously, Mr. Ching worked as an associate attorney at Bilecki & Tipon, LLC, where he focused on criminal defense and family law, and served as an AmeriCorps member of Legal Aid Society of Hawaii, a public interest nonprofit law firm. In addition to his professional work, Mr. Ching has served as a volunteer on the board of directors for The Cove Waikiki Condominium Association for nine years. Your Committee finds that Mr. Ching's legal background, analytical skills, and desire to serve the public will provide a thoughtful and considerate perspective that will enhance the effectiveness of the Motor Vehicle Industry Licensing Board. Your Committee therefore recommends that Nicholas Ching be appointed to the Motor Vehicle Industry Licensing Board based on his knowledge, experience, and commitment to public service.

WAYNE DE LUZ

Your Committee received testimony in support of the nomination for the appointment of Wayne De Luz from the Motor Vehicle Industry Licensing Board, Bank of Hawaii, Hawai'i Automobile Dealers Association, and two individuals.

Upon review of the testimony, your Committee finds that Mr. De Luz's experience, background, and commitment to community service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as an industry member. Mr. De Luz has over forty years of experience in the auto dealer industry and has held a number of key managerial roles at auto dealerships before establishing Big Island Motors, Inc. in 2005, a Mazda, Subaru, and Hyundai franchise auto dealership located in Hilo, Hawaii. Mr. De Luz is also actively involved in the professional auto dealer community, having served as a board member and President of the Hawai'i Automobile Dealers Association and two previous terms as a member of the Motor Vehicle Industry Licensing Board. Your Committee finds that Mr. De Luz, with his proven leadership, prior service on the Motor Vehicle Industry Licensing Board, and extensive auto industry expertise, will provide a thoughtful and considerate perspective that will enhance the work of the Board.



Your Committee therefore recommends that Wayne De Luz be appointed to the Motor Vehicle Industry Licensing Board based on his background, knowledge, and desire to serve his community.

KENNETH OBENSKI

Your Committee received testimony in support of the nomination for the appointment of Kenneth Obenski from the Department of Commerce and Consumer Affairs and Office of the Mayor of the County of Hawai'i.

Upon review of the testimony, your Committee finds that Mr. Obenski's knowledge, experience, and dedication to community service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as a public member. Mr. Obenski is a retired professional engineer who, with a career spanning four decades, has lectured, taught, and authored numerous articles and books on a wide range of subjects relating to his forensic engineering specialty, which includes accident reconstruction and failure analysis. Mr. Obenski has been qualified to appear as an expert witness in nine state courts and is an inventor and manufacturer who holds two patents. In addition, Mr. Obenski is actively engaged in the community, sharing his wealth of professional experience relating to traffic safety and vehicle accidents through his service as Chairperson of the Kona Traffic Safety Committee and Hawaii Traffic Safety Council on Hawaii island and Commissioner of the Transportation Commission of the County of Hawai'i. Your Committee finds that Mr. Obenski's extensive professional engineering experience and thorough understanding of motor vehicle traffic safety and vehicle accidents will provide a thoughtful and considerate perspective that will enhance the effectiveness of the Motor Vehicle Industry Licensing Board. Your Committee therefore recommends that Kenneth Obenski be appointed to the Motor Vehicle Industry Licensing Board based on his knowledge, experience, and commitment to public service.

CARLETON WILLIAMS

Your Committee received testimony in support of the nomination for the appointment of Carleton Williams from the Department of Commerce and Consumer Affairs, Hawaii Society of Certified Public Accountants, and one individual.

Upon review of the testimony, your Committee finds that Mr. Williams' experience, knowledge, and dedication to community



service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as a public member. Mr. Williams is a graduate of the Shidler College of Business at the University of Hawai'i at Manoa and has over forty years of experience in accounting and finance. Mr. Williams is the founder of CW Associates, A Hawaii Certified Public Accounting Corporation (CW Associates, CPAs), which was ranked the fourth largest Certified Public Accountant firm in Hawaii, according to the 2022 Pacific Business News "Book of Lists". After retiring from CW Associates, CPAs, Mr. Williams' latest venture has been the founding of Manoa CPA LLC in 2023. In addition to his professional work, Mr. Williams serves on numerous boards and committees, such as the Advisory Board of The Salvation Army (Hawaii and Pacific Region) and DTRIC Insurance Company, Limited, among others. Mr. Williams also teaches finance courses as a graduate program instructor at Chaminade University and the University of Hawai'i. Previously, Mr. Williams served on the Board of Public Accountancy and has a thorough understanding of the roles and responsibilities of board members. Your Committee therefore recommends that Carleton Williams be appointed to the Motor Vehicle Industry Licensing Board based on his background, experience, and dedication 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,



JARRETT KEOHOKALO, 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.:* <i>GM 708</i>	Committee Referral: CPN	Date: <i>4/5/24</i>		
<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	<i>4</i>			<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
<i>Carol Fukunaga</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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

Governor's Message No.:* GM 742	Committee Referral: CPN	Date: 4/5/24		
<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	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Carol Fukunaga</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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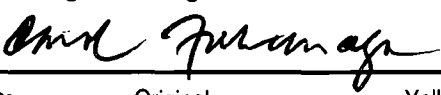
Record of Votes
Committee on Commerce and Consumer Protection
CPN
Advise and Consent

Governor's Message No.:* GM 743	Committee Referral: CPN	Date: 4/5/24		
<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	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Carol Fukunaga</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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Committee on Commerce and Consumer Protection
CPN
Advise and Consent

Governor's Message No.:* GM744	Committee Referral: CPN	Date: 4/5/24		
<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	4			1
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				

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