

STAND. COM. REP. NO.

2829

Honolulu, Hawaii

MAR 22 2010

RE: H.B. No. 2721  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 2721, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COURT REPORTERS,"

begs leave to report as follows:

The purpose of this measure is to authorize certified shorthand reporters to administer oaths and affirmations in the performance of their duties as deposition officers without the necessity of being notaries public.

Testimony in support of the measure was submitted by one private organization and eleven individuals. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that currently, court rules provide that no person may take oral depositions for use in the courts of Hawaii, unless the person possesses a certificate as a Hawaii certified shorthand reporter issued by the Supreme Court through the Hawaii Board of Certified Shorthand Reporters. However, a shorthand reporter cannot administer the oath prior to taking an oral deposition outside a court unless the shorthand reporter is also a notary public. Your Committee believes that this is unnecessarily redundant and burdensome on shorthand reporters.

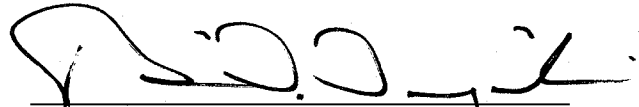
Your Committee has amended this measure by:



- (1) Deleting the reference in the measure to a specific court rule, because there are other analogous court rules governing persons before whom depositions may be taken, such as within the Hawai'i Family Court Rules and the District Court Rules of Civil Procedure, for example; and
- (2) Making the measure effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2721, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2721, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,

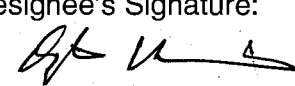


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BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2721, HD1	JGO	3/12/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	5	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes