

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2601
H.D. 3
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor, to which was referred H.B. No. 2601, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify those persons authorized to serve legal process and reserve the authority to serve criminal process to sheriffs, deputy sheriffs, and police officers.

Your Committees received testimony in support of this measure from the Department of Public Safety. Testimony in opposition was received from the Honolulu Prosecuting Attorney.

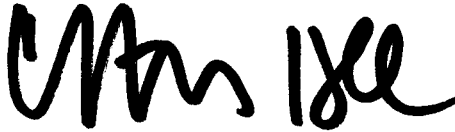
Your Committees find that this measure authorizes the service of certain civil process by a person authorized by the rules of court and reserves the authority to serve criminal process to the sheriff, deputy sheriff, or police officers. This measure makes consistent the relevant service of process statutes and accommodates court rules authorizing service of process.

Your Committees have amended this measure by amending the language that reserved the authority to serve criminal process to sheriffs, deputy sheriffs, and police officers to instead reserve authority to serve criminal summons to persons authorized to serve criminal summons in accordance with rules of court.



As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2601, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2601, H.D. 3, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor,



CLAYTON HEE, Chair

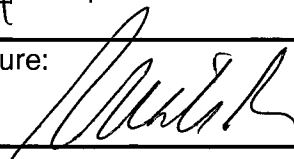


WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2601, HD 3	PLM/JDL	4/3/12		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
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	

*Only one measure per Record of Votes