

# SB 968

Measure Title: RELATING TO SERVICE BY PUBLICATION.  
Report Title: Civil Actions; Service by Publication; Newspapers  
Description: Specifies the term "general circulation" as it refers to a newspaper for purposes of service by publication in a civil action.  
Companion:  
Package: None  
Current Referral: CPN, JDL  
Introducer(s): BAKER, KEITH-AGARAN, Chun Oakland, English, Nishihara, Taniguchi

<b><u>Sort by Date</u></b>		<b>Status Text</b>
1/24/2013	S	Introduced.
1/24/2013	S	Passed First Reading.
1/24/2013	S	Referred to CPN, JDL.
1/29/2013	S	The committee(s) on CPN has scheduled a public hearing on 02-05-13 8:30AM in conference room 229.

# HAWAII FINANCIAL SERVICES ASSOCIATION

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February 5, 2013

Senator Rosalyn H. Baker, Chair  
and members of the Senate Committee on Commerce and Consumer Protection  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: **Senate Bill 968 (Service By Publication)**  
**Hearing Date/Time: Tuesday, February 5, 2013, 8:30 a.m.**

I am Marvin Dang, the attorney for the **Hawaii Financial Services Association** ("HFSA"). The HFSA is a trade association for Hawaii's consumer credit industry. Its members include Hawaii financial services loan companies (which make mortgage loans and other loans, and which are regulated by the Hawaii Commissioner of Financial Institutions), mortgage lenders, and financial institutions.

## **The HFSA supports the intent of this Bill.**

The purpose of this Bill is to specify the term "general circulation" as it refers to a newspaper for purposes of service by publication in a civil action.

Under this Bill, "general circulation" newspapers are distributed at least weekly and must meet other requirements. Currently only newspapers that are distributed daily are considered by the courts to be of "general circulation." The expansion under the Bill will give parties to a lawsuit more inexpensive options when publishing summons.

Thank you for considering our testimony.



MARVIN S.C. DANG  
Attorney for Hawaii Financial Services Association

(MSCD/hfsa)



*Mortgage Bankers Association of Hawaii*  
*P.O. Box 4129, Honolulu, Hawaii 96812*

February 5, 2013

The Honorable Rosalyn H. Baker, Chair,  
The Honorable Brickwood Galuteria, Vice Chair, and  
Members of the Senate Committee on Commerce and Consumer Protection  
State Capitol, Room 229  
Honolulu, Hawaii 96813

Re: Senate Bill 968 Relating to Service By Publication

Chair Baker, Vice Chair Galuteria, and Members of the Senate Committee on Commerce and Consumer Protection:

I am Linda Nakamura, representing the Mortgage Bankers Association of Hawaii ("MBAH"). The MBAH is a voluntary organization of real estate lenders in Hawaii. Our membership consists of employees of banks, savings institutions, mortgage bankers, mortgage brokers, and other financial institutions. The members of the MBAH originate the vast majority of residential and commercial real estate mortgage loans in Hawaii. When, and if, the MBAH testifies on legislation, it is related only to mortgage lending.

MBAH supports Senate Bill 968 Relating to Service By Publication.

Senate Bill 968 clarifies the term "general circulation" as it relates to a newspaper for the purposes of service by publication in a civil action. This bill provides the parties to a civil action with additional options when publishing summons which may result in decreased costs.

Thank you for the opportunity to present this testimony.

LINDA NAKAMURA  
President, Mortgage Bankers Association of Hawaii