

Honolulu, Hawaii

MAR 18 2013

RE: H.B. No. 951
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and Military Affairs, to which was referred H.B. No. 951, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Director of Public Safety to maintain a list of independent process servers; and
- (2) Update various sections of the Hawaii Revised Statutes to clarify that law enforcement officers and independent civil process servers may serve certain types of legal process.

Your Committee received testimony in support of this measure from the Department of Public Safety; Judiciary, State of Hawaii; Collection Law Section, Hawaii State Bar Association; Pyramid Process; and three individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there have been difficulties in identifying process servers and obtaining their services in Hawaii. The unavailability of those services has resulted in an increased reliance on Deputy Sheriffs to issue service of process, who are already understaffed, which causes delays for serving



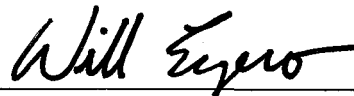
process. Your Committee finds that, in the interest of efficiency and fairness, the Director of Public Safety must make a list of eligible process servers in the State available to the public as soon as possible.

Your Committee has amended this measure by:

- (1) Making the provision of the list of independent process servers by the Director of Public Safety mandatory, rather than discretionary; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 951, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 951, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,

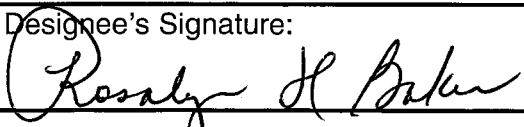


WILL ESPERO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 951, HD1	PSM, JDL	3-12-2013		
<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
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, Josh	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	—
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