STAND. COM. REP. NO. 2549

Honolulu, Hawaii

March 2

, 2006

RE:

S.B. No. 2600

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2600 entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC COURT RECORDS, DOCUMENTS, PROCESSES, AND CERTIFICATES,"

begs leave to report as follows:

The purpose of this measure is to allow court process records or documents to be created, retained, and stored electronically and converted to electronic form. This measure also allows for court documents and records to be electronically signed and sealed.

Testimony in support of this measure was submitted by the Judiciary.

Your Committee finds that the measure as currently drafted may be vulnerable to challenge in the courts. The provisions contained in subsection (a) of section 2 of the measure describe a "seal," but this language does not suggest a logical connection that is germane to the title of the bill, "Electronic Court Records." In response to this concern, the Attorney General has opined that this problem would be avoided by amending the title of section 606-3, Hawaii Revised Statutes.

Your Committee has amended this measure by amending the title of section 606-3, Hawaii Revised Statutes, as recommended by the Attorney General.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2600, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2600, 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 Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* SB 2600	Committee Referral:		Date: 2/17/04		
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments (2312) (2311)		Hold Recommit (2310) (2313)			
Members		Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)				- Alamana	
HEE, Clayton (VC)					
CHUN OAKLAND, Suzanne					
ENGLISH, J. Kalani			e fig. 1 self		
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TOTAL		G	0	0	0
Recommendation: Adopted 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					

^{*}Do not list more than one measure per Record of Votes.