

STAND. COM. REP. NO.

1495

Honolulu, Hawaii

APR 07 2017

RE: H.B. No. 301  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 301, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RESPONSE TO WRIT FOR  
CERTIORARI,"

begs leave to report as follows:

The purpose and intent of this measure is to require the  
Clerk of the Court to grant to a party a single extension of no  
more than fifteen days for filing with the Supreme Court a  
response to an application for writ of certiorari upon timely  
written request of the party; and clarify what constitutes a  
timely request for an extension.

Your Committee received testimony in support of this measure  
from the Department of the Prosecuting Attorney, City and County  
of Honolulu; Office of the Prosecuting Attorney, County of Kaua'i;  
Office of the Prosecuting Attorney, County of Hawai'i; and  
Department of the Prosecuting Attorney, County of Maui.

Your Committee finds that this measure ensures that a  
responding party to an application for writ of certiorari in civil  
or criminal cases is given equal opportunity to respond to an  
application.

Your Committee has amended this measure by:



- (1) Replacing references to "opposition" with "response" for purposes of consistency;
- (2) Deleting the savings clause under section 2; and
- (3) 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 Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 301, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 301, 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  
Labor,

  
GILBERT S.C. KEITH-ARGAN, Chair



