

Honolulu, Hawaii

FEB 12 2010

RE: S.B. No. 2161
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2161 entitled:

"A BILL FOR AN ACT RELATING TO WITNESSES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Increase the amount of per diem stipends for out-of-state witnesses in criminal cases from \$110 to \$145 per day; and
- (2) Increase the per diem stipends by an additional \$90 per day for witnesses who must travel to another island to attend court, when that witness is required to stay overnight.

Testimony in support of the measure was submitted by three county agencies. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that the current amount of per diem stipends may create a hardship on witnesses who must testify in our state courts, because the current stipends are simply inadequate to cover basic expenses in many cases. Requiring witnesses to pay out of their own pockets for hotel and food costs acts as a disincentive for witnesses to travel to appear in court. Your Committee also notes that the total aggregate increase in cost to the State will only be approximately \$3,000 per year.



Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050 to facilitate discussion by the Committee on Ways and Means; and
- (2) Making technical, nonsubstantive changes for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2161, S.D. 1, and be referred to the Committee on Ways and Means.

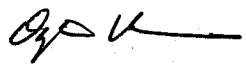
Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 2161	Committee Referral: JGO, WAM	Date: 2/9/10		
<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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	4	0	0	2
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