

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 879
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 Ways and Means, to which was referred S.B. No. 879 entitled:

"A BILL FOR AN ACT RELATING TO WITNESSES,"

begs leave to report as follows:

The purpose of this measure is to increase certain witness per diem rates.

Specifically, the measure supports witnesses in criminal proceedings by:

- (1) Raising the per diem rate for out-of-state witnesses from \$110 to \$145; and
- (2) Providing an additional \$90 per diem payment for witnesses traveling from another island within the State who are required to stay overnight.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority and the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that per diem stipends for witnesses who must travel to an island within the State to attend criminal proceedings have remained unchanged for decades and are no longer



sufficient to pay for lodging, meals, and other personal expenses. This measure adjusts per diem stipends to reflect the current cost of living in Hawaii and reduce economic barriers that may discourage or prevent witnesses from participating in criminal proceedings.

Your Committee has amended this measure by:

- (1) Changing to unspecified amounts:
 - (A) The increased per diem payment for out-of-state witnesses; and
 - (B) The additional per diem payment for witnesses traveling from another island within the State who are required to stay overnight;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion on this measure; and
- (3) Making a technical nonsubstantive amendment for the purpose of style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 879, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 879, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

| | | | | |
|--|--|-------------------------|----------|----------|
| Bill / Resolution No.:* SB879 | Committee Referral: JDL, WAM | Date: 2-21-13 | | |
| <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 |
| IGE, David Y. (C) | ✓ | | | |
| KIDANI, Michelle N. (VC) | ✓ | | | |
| CHUN OAKLAND, Suzanne | ✓ | | | |
| DELA CRUZ, Donovan M. | ✓ | | | |
| ENGLISH, J. Kalani | ✓ | | | |
| ESPERO, Will | ✓ | | | |
| KAHELE, Gilbert | ✓ | | | |
| KEITH-AGARAN, Gilbert S.C. | ✓ | | | |
| KOUCHI, Ronald D. | | | | ✓ |
| RUDERMAN, Russell E. | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
| TOKUDA, Jill N. | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 12 | 0 | 0 | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: <i>Michelle N. Kidani</i> | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes