

STAND. COM. REP. NO.

186

Honolulu, Hawaii

FEB 11 2013

RE: S.B. No. 879

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

Madam:

Your Committee on Judiciary and Labor, 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 and intent of this measure is to increase the per diem payments of out-of-state witnesses in criminal cases to support and encourage out-of-state witnesses to return to Hawaii to participate in the prosecution of those cases.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission; Hawai'i Tourism Authority; Department of the Prosecuting Attorney, City and County of Honolulu; and Victim/Witness Assistance Division, Department of the Prosecuting Attorney, County of Maui.


Your Committee finds that the last time the Legislature increased the per diem payment for out-of-state witnesses was in 1989. This amount is no longer sufficient for out-of-state witnesses to pay for their personal expenses, such as for food and lodging, and discourages or prevents out-of-state witnesses from returning to the State to testify against offenders. Furthermore, the per diem amount for witnesses who are required to travel to and stay overnight on another island to attend a state court is also insufficient. Increasing the per diem payment for out-of-state witnesses from \$110 to \$145 per day and providing an additional \$90 per day for witnesses who are required to travel and stay overnight on another island will support and encourage



out-of-state witnesses to testify and facilitate the prosecution of important criminal cases.

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 S.B. No. 879 and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 879	Committee Referral: JDL, WAM	Date: 01-30-2013
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	5			

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes