

Honolulu, Hawaii
MAR 23 , 2022

RE: S.B. No. 416
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 416, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WITNESS FEES AND REIMBURSEMENTS IN CRIMINAL CASES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify the applicable expert witness fees in state criminal cases; and
- (2) Increase per diem payments for other witnesses required to travel and stay overnight to attend a state court or grand jury in any criminal case.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, and Department of the Prosecuting Attorney of the County of Maui.

Your Committee finds that after more than thirty years, the Department of Budget and Finance decided to discontinue reimbursements of certain expert witness fees and create new rules about when witnesses would be reimbursed. Although the Governor



issued an administrative directive that reestablished the previous procedures regarding expert witness reimbursements, your Committee believes that further statutory clarification regarding expert witness reimbursements may be necessary.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 416, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 416, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



