

ACT 176

H.B. NO. 976

A Bill for an Act Relating to Witnesses.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 621-7, Hawaii Revised Statutes, is amended to read as follows:

“§621-7 Fees; criminal cases. (a) Every witness legally required to attend [upon] a state court or [a] grand jury in any criminal case, other than a public officer or employee, shall be entitled to [\$10] \$20 for each day’s attendance and [30 cents] a reasonable mileage fee to be established pursuant to rules adopted by the judiciary for each mile actually and necessarily traveled[,], on the ground each way[.], including travel to and from the nearest airport when required to travel from another island or from outside the State. [Every such witness, coming to attend upon court from any island other than that upon which the court is holding session, shall be entitled to \$12 for each day’s attendance in addition to the actual round trip cost of plane travel and 30 cents for each mile actually and necessarily traveled on the ground each way.] In addition to witness’ fees, every witness, who attends a state court from outside the State shall be entitled to the actual round-trip cost of plane travel, plus \$110 per twenty-four-hour day, or if from any island other than that on which the court holds session, shall be entitled to the actual round-trip cost of plane travel, plus \$55 per twenty-four-hour day, which amounts shall cover all personal expenses, such as board and lodging. These per diem payments shall be computed on the basis of quarter day periods of time.

(b) Any police officer or other public officer or employee (except the county attorney, prosecuting attorney, or deputy county attorney or deputy prosecuting attorney), [coming to attend] who attends a state court as a witness from a district other than that in which the court is holding session, shall be allowed the police

ACT 176

officer's, public officer's, or employee's travel cost and mileage fees as provided in this section. A public officer or employee, if not salaried, shall receive witness fees."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 7, 1989.)