

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 238 entitled:

"A BILL FOR AN ACT RELATING TO WITNESSES,"

begs leave to report as follows:

The purpose of this measure is to support witnesses in criminal proceedings by:

- 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.

The Crime Victim Compensation Commission, Hawaii Tourism Authority, Department of the Prosecuting Attorney of the City and County of Honolulu, and a concerned individual testified in support of this measure. The Department of Budget and Finance provided comments.

Your Committee finds that per diem stipends for witnesses who must travel to an island within the State where criminal proceedings are conducted have remained unchanged for decades and are no longer sufficient to pay for personal expenses such as lodging and meals. This measure adjusts per diem stipends to reflect the current cost of living in Hawaii and prevent economic

HB238 HD1 HSCR LRB 13-1718-1.doc



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barriers that may discourage or prevent witnesses from participating in criminal proceedings.

Your Committee has amended this measure by:

- Changing the amount of the increased per diem payment for out-of-state witnesses in criminal cases to an unspecified amount;
- (2) Changing the amount of the additional per diem payment for witnesses traveling from another island within the State who are required to stay overnight to an unspecified amount;
- (3) Changing the effective date to July 1, 2030, to encourage further discussion on this measure; and
- (4) Making technical nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 238, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 238, H.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Finance,

SYLVIA LUKE, Chair



H5CK 891

State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.:	Committee Referral:		=.	
HB238	JUD, FIN 02/20/13			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. NISHIMOTO, Scott Y. (VC)				
3. JOHANSON, Aaron Ling (VC)				
4. CULLEN, Ty J.K.				
5. HASHEM, Mark J.				, . <u> </u>
6. ING, Kaniela				
7. JORDAN, Jo				· · · · · · · · · · · · · · · · · · ·
8. KOBAYASHI, Bertrand				
9. LOWEN, Nicole E.]
10. MORIKAWA, Dee				
11. ONISHI, Richard H.K.				
12. TAKAYAMA, Gregg				
13. TOKIOKA, James Kunane				
14. WOODSON, Justin H.				
15. YAMASHITA, Kyle T.				
16. FUKUMOTO, Beth				
17. WARD, Gene				
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TOTAL (17)	17	-		
The recommendation is: Adopted D Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				