

Honolulu, Hawaii

APR 29 2016

RE: S.B. No. 2106
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2106, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WITNESSES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Increase the per diem payments for an out-of-state witness in criminal cases from \$145 to an unspecified amount; and
- (2) Increase the per diem payment supplement from \$90 to an unspecified amount for a witness from any island other than the island on which the court is located when that witness is required to stay overnight.

Your Committee on Conference finds that the criminal case witness per diem stipend amounts have not kept pace with Hawaii's cost of living. Given the increases in costs for lodging and food,



the existing per diem stipend amounts are insufficient to cover personal expenses and, as a result, may prevent victims of crimes from pursuing charges against criminal offenders. This measure increases the per diem stipend amounts for out-of-state witnesses and witnesses who require an overnight stay on another island in the State to support and encourage victims and other witnesses to report criminal offenses and pursue criminal charges.

Your Committee on Conference has amended this measure by:


- (1) Inserting a per diem amount of \$200 for an out-of-state witness in a criminal case;
- (2) Inserting a per diem amount of \$145 for a witness from any island other than the island on which the court is located when that witness is required to stay overnight; and
- (3) Changing the effective date to upon approval.

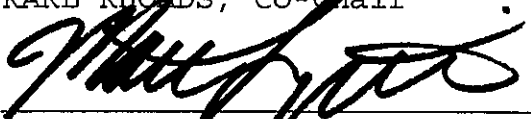
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2106, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2106, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


KARL RHODS, Co-Chair

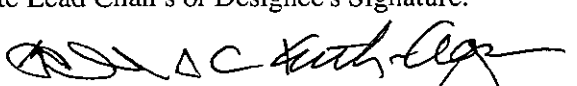
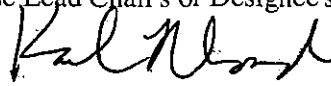

MATTHEW LOPRESTI, Co-Chair


GILBERT S.C. KEITH-AGARAN, Chair


BRICKWOOD GALUTERIA, Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2106, HD 1					Date/Time: 4/29/16 2:00 PM				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KEITH-AGARAN, Gilbert S.C., Chr.	✓				RHOADS, Karl, Co-Chr.	✓			
GALUTERIA, Brickwood, Co-Chr.	✓				LOPRESTI, Matthew S., Co-Chr.	✓			
SHIMABUKURO, Maile S.L.	✓				CULLEN, Ty J.K.	✓			
					MCDERMOTT, Bob				✓
TOTAL	3	0	0	0	TOTAL	3	0	0	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
Distribution: Original					Yellow				
File with Conference Committee Report					House Clerk's Office				
					Pink				
					Senate Clerk's Office				
					Goldenrod				
					Drafting Agency				