STAND. COM. REP. NO. 267 -22

Honolulu, Hawaii

, 2022

MAR 23

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

2022-2231 SB416 HD1 HSCR HMSO

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,

MARY M. NAKASHIMA, Chair

State of Hawaii



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB41 し, SD1	Committee Referral:			Date: 3-15-22		
		7,411	J • • • • • • • • • • • • • • • • • • •			
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)						
JHA Members		Ayes	Ayes (WR)		Nays	Excused
1. NAKASHIMA, Mark M. (C)						
2. MATAYOSHI, Scot Z. (VC)						
3. ICHIYAMA, Linda						
4. KOBAYASHI, Dale T.						
5. LoPRESTI, Matthew S.					tin a martine and the title services of the	
6. LOWEN, Nicole E.						
7. McKELVEY, Angus L.K.						
8. NAKAMURA, Nadine K.						
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9. TAKUMI, Roy M.	1.5					
10. TOKIOKA, James Kunane			M. S. C. S. A. B. J. S. L.			
11. WARD, Gene				and the second s	- sentre VIV Broom - Vourter Parketting (Mariana)	
TOTAL (11)		10	(文	Ø	
The recommendation is: Adopted Not Adopted						
If joint referral, did not support recommendation. committee acronym(s)						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						