

ACT 7

H.B. NO. 14

A Bill for an Act Relating to Witness Expenses in Criminal Proceedings.

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

SECTION 1. Purpose. The purpose of this Act is to establish the means of financing witness expenses required by county prosecutors and the public defender.

SECTION 2. Section 621-9, Hawaii Revised Statutes, is amended to read:

“Sec. 621-9 Witness expenses; budgetary procedure. (a) Except as provided

for in section 802-7, whenever a witness subpoenaed on behalf of the State in a criminal case or on behalf of a defendant at the expense of the State in a criminal case is discharged, the clerk of the court shall issue to him under seal of the court, a numbered certificate from a book having a stub with like designations, stating the name of the witness, when and where he was summoned or subpoenaed, the date of his discharge, the number of miles necessarily traveled from his place of residence to the place of holding court, the number of day's service, and the amount due for transportation and for service. The certificate, when correct, must be so certified by the public prosecutor or county attorney for witnesses subpoenaed on behalf of the State, and by the public defender for witnesses subpoenaed on behalf of a defendant, but no certificate shall be so certified unless presented to him within twelve months after the date of issue. Duly certified witness certificates shall be paid upon vouchers approved by the state director of finance and warrants drawn by the state comptroller.

(b) Each public prosecutor or county attorney and the public defender shall submit to the state department of budget and finance for inclusion in the department's budget request for each fiscal biennium the amount required for each fiscal year for expenses for witnesses subpoenaed by him."

SECTION 3. Appropriation. There is hereby appropriated out of the general fund of the State the sum of \$160,947 for the fiscal year 1977-78 and the sum of \$169,160 for the fiscal year 1978-79, to be expended by the department of budget and finance for the purposes of this Act.

SECTION 4. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 5. This Act shall take effect upon July 1, 1977.

(Approved June 16, 1977.)

*Edited accordingly.