STAND. COM. REP. NO. 2544

Honolulu, Hawaii

FOB 22

, 2006

RE: S.B. No. 2582

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2582 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE,"

begs leave to report as follows:

The purpose of this measure is to amend the rules of evidence on erroneous rulings so that a party does not need to renew an objection or offer proof once a court makes a definitive ruling on the record admitting or excluding evidence.

Testimony in support of this measure was submitted by the Hawaii Supreme Court Standing Committee on the Rules of Evidence and the Office of the Public Defender.

Your Committee finds that this measure codifies the Hawaii Supreme Court's holding in Ditto v. McCurdy, 98 Hawaii 123, 130 n.9, 44 P.3d 274, 281 n.9 (2002) and is identical to the rule 103 of the Federal Rules of Evidence.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2582 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* SB 2582	Committee Referral: JHW		Date: 2/17/06		
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)					
Members		Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)				. 100	
HEE, Clayton (VC)		-//			ra j r
CHUN OAKLAND, Suzanne					S. C. Carlos
ENGLISH, J. Kalani	· .				
IHARA, Jr., Les					
WHALEN, Paul			manusci di		
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TOTAL		φ	0	0	0
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Do not list more than one measure per Record of Votes.