

STAND. COM. REP. NO. **2272**

Honolulu, Hawaii

FEB 13 2024

RE: S.B. No. 2718  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred S.B. No. 2718 entitled:

"A BILL FOR AN ACT RELATED TO ADMINISTRATIVE PROCEDURES,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the Hawaii Labor Relations Board to admit and consider hearsay evidence.

Your Committee received testimony in support of this measure from the Hawai'i Labor Relations Board and Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that under existing law, the Hawaii Labor Relations Board is prohibited from considering hearsay evidence. Therefore, it is precluded from considering all evidence presented in its deliberations and assigning the evidence the proper weight, which conflicts with the general principles that proceeding before administrative boards are more flexible and should not be strictly bound by the rules of evidence applicable to judicial proceedings. This measure allows the Hawaii Labor Relations Board to admit and consider hearsay evidence putting it in line with proceedings before other administrative boards and commissions.



Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2718, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2718, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor and  
Technology,

  
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HENRY J. AQUINO, Chair



