

STAND. COM. REP. NO. **2990**

Honolulu, Hawaii

MAR 01 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 Judiciary, to which was referred S.B. No. 2718, S.D. 1, 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.

Your Committee finds that existing law is contradictory with regard to whether the Hawaii Labor Relations Board is permitted to admit or consider hearsay evidence in its proceedings. While the Hawaii Labor Relations Board is prohibited from considering hearsay evidence, there are a myriad of exceptions in the Hawaii Rules of Evidence that allow certain types of hearsay evidence to be admissible, meaning certain evidence could be properly introduced in any other court or administrative proceeding under a hearsay exception. This measure clarifies that the Hawaii Labor Relations Board is permitted to admit and consider hearsay evidence in its proceedings, which will level the playing field and provide a fair hearing for all parties involved.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your



Committee is in accord with the intent and purpose of S.B.
No. 2718, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

Karl Rhoads

KARL RHOADS, Chair



