STAND. COM. REP. NO. 2990

Honolulu, Hawaii

MAR 0 1 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, Chair

The Senate Thirty-Second Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:	
SB 2718 SDI	LBT, JDC			03 01 24	
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is: Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		V/			
GABBARD, Mike (VC)		V/			
ELEFANTE, Brandon J.C.		V			
SAN BUENAVENTURA, Joy A	۹.				
AWA, Brenton					

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TOTAL		3			2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original File with Committee Re	Yellow Pink Goldenrod eport Clerk's Office Drafting Agency Committee File Copy				

^{*}Only one measure per Record of Votes