

STAND. COM. REP. NO.

1947

Honolulu, Hawaii

APR 05 2019

RE: H.B. No. 1532  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1532, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING 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 in unfair labor practices proceedings.

Your Committee received testimony in support of this measure from the Hawai'i Labor Relations Board and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Chapter of the Society for Human Resource Management.

Your Committee finds that the Hawaii Labor Relations Board hears cases involving unfair labor practices. Your Committee further finds that under the existing law, the Hawaii Labor Relations Board is not allowed to consider hearsay evidence in these proceedings. Your Committee additionally finds that proceedings before administrative boards are typically more relaxed and less bound by the formal rules of evidence than proceedings before a court, where hearsay evidence is only admissible in certain situations and for certain purposes. This measure will provide the Hawaii Labor Relations Board with the opportunity to evaluate in totality all facts and circumstances



and allow it to consider all of the evidence in its decision-making process.

Your Committee has amended this measure by 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1532, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1532, H.D. 1, S.D. 1.

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




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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>HB1532 HD1</b>	Committee Referral: <b>LCA, JDC</b>	Date: <b>3/29/19</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>4</b>	<b>—</b>	<b>—</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes