

STAND. COM. REP. NO. 1164-24

Honolulu, Hawaii

MAR 19, 2024

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Labor & Government Operations, 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 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 the Hawaii Labor Relations Board oversees collective bargaining, unfair labor practices, and contests involving citations or orders of the Director of Labor and Industrial Relations regarding the State's occupational safety and health laws. However, under existing law, the Hawaii Labor Relations Board is prohibited from considering hearsay evidence, meaning its unable to consider all evidence presented in its deliberations and assign the evidence the proper weight. Therefore, this measure permits the Hawaii Labor Relations Board to admit and consider hearsay evidence in its proceedings and ensures fair hearings for all parties involved.

Your Committee has amended this measure by:

2024-2410 SB2718 HD1 HSCR HMSO



- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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

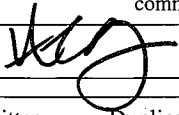
Respectfully submitted on
behalf of the members of the
Committee on Labor & Government
Operations,



SCOT Z. MATAYOSHI, Chair



Record of Votes of the Committee on Labor & Government Operations

Bill/Resolution No.: SB 2718 SD1	Committee Referral: LGO, JHA	Date: 3/14/24		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LGO Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	✓			
2. GARRETT, Andrew Takuya (VC)	✓			
3. KAPELA, Jeanne				✓
4. MARTINEZ, Rose	✓			
5. SAYAMA, Jackson D.				✓
6. TAM, Adrian K.	✓			
7. ALCOS III, David				✓
TOTAL (7)	4	—	—	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				