

STAND. COM. REP. NO.

1183

Honolulu, Hawaii

March 27, 2015

RE: S.B. No. 387
S.D. 2
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 387, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AFFIRMATIVE CONSENT,"

begs leave to report as follows:

The purpose of this measure is to establish an affirmative consent task force to review and make recommendations on the University of Hawaii's executive policy concerning domestic violence, dating violence, sexual assault, and stalking, and require the task force to submit a report of its findings to the Legislature prior to the Regular Session of 2016.

The University of Hawaii, Hawaii State Commission on the Status of Women, Hawaii State Women's Caucus, Hawaii Youth Services Network, Planned Parenthood of Hawaii, Hawaii Women's Coalition, IMUAlliance, YWCA of Oahu, and several concerned individuals supported this measure. The Sex Abuse Treatment Center and University of Hawaii Commission on the Status of Women supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Including an additional student representative on the task force;

SB387 HD2 HSCR JUD HMS 2015-2942-1



- (2) Expanding the scope of topics that the task force should consider to include training for University of Hawaii staff who handle sexual assault claims, and procedures for coordinating with law enforcement if an incident is reported;
- (3) Deleting the exemption for members of the task force from Chapter 84, Hawaii Revised Statutes;
- (4) Requiring the task force to submit a report of its findings and recommendations to the Legislature in both 2016 and 2017, instead of just 2016; and
- (5) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 387, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 387, S.D. 2, H.D. 2.

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



KARL RHOADS, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 387, SD2, HD1	Committee Referral: HED, JUD, FIN	Date: 3/24, 15		
<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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BELATTI, Della Au				/
4. BROWER, Tom	/			
5. CREAGAN, Richard P.	/			
6. HASHEM, Mark J.	/			
7. KAWAKAMI, Derek S.K.				/
8. LEE, Chris	/			
9. MORIKAWA, Dee	/			
10. NAKASHIMA, Mark M.	/			
11. TAKAYAMA, Gregg	/			
12. WOODSON, Justin H.				/
13. McDERMOTT, Bob	/			
14. THIELEN, Cynthia	/			
TOTAL (14)	11			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				