

STAND. COM. REP. NO.

425

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 387
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Higher Education and the Arts and
Judiciary and Labor, to which was referred S.B. No. 387 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require the
University of Hawaii System to establish and enforce an
affirmative consent standard for all policies and protocols
relating to sexual assault, domestic violence, dating violence,
and stalking as a condition for receiving state funds for student
financial assistance.

Your Committees received testimony in support of this measure
from the Hawaii State Commission on the Status of Women, Hawaii
Youth Services Network, Hawaii Women's Coalition, American
Association of University Women, Sex Abuse Treatment Center,
IMUAlliance, Planned Parenthood of Hawaii, Hawaii State Democratic
Women's Caucus, Hawaii State Coalition Against Domestic Violence,
National Association of Social Workers Hawaii Chapter, and seven
individuals. Your Committees received testimony in opposition to
this measure from the University of Hawaii System.

Your Committees find that more than eight hundred colleges
and universities across the nation have already adopted
affirmative consent policies, and nine other states are also
considering affirmative consent legislation. These universities
have since reported the positive impact resulting from such



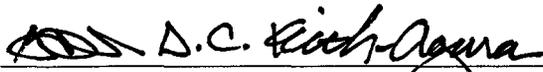
policies and the change in campus dialogue about healthy relationships and consent.

Your Committees have amended this measure by:

- (1) Clarifying the legislative intent to explicitly require the University of Hawaii System and the Board of Regents to act jointly to establish and enforce an affirmative consent standard for all policies and protocols relating to sexual assault, domestic violence, dating violence, and stalking;
- (2) Deleting the requirement that the governing board of each community college, trustees of the University of Hawaii, and Board of Regents adopt certain policies and protocols as a condition of receiving state funds for student financial assistance; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Higher Education and the Arts and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 387, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 387, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Higher Education
and the Arts and Judiciary and
Labor,

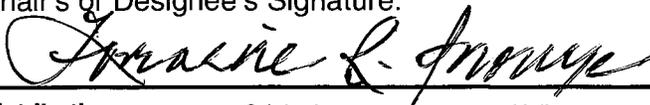

GILBERT S.C. KEITH-AGARAN, Chair


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Higher Education and the Arts
HEA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 387	HEA/JDL, WAM	2-05-2015		
<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
TANIGUCHI, Brian T. (C)	✓			
INOUE, Lorraine R. (VC)	✓			
GABBARD, Mike	✓			
KAHELE, Gilbert	✓			
KIDANI, Michelle N.				✓
WAKAI, Glenn				✓
SLOM, Sam			✓	
TOTAL	4		1	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

