STAND. COM. REP. NO. 212

Honolulu, Hawaii APR 05 , 2019

RE: S.B. No. 1048

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 1048, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL HARASSMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- Make confidentiality clauses in employment agreements or contracts unenforceable as to sexual harassment claims unless included in a specific legal settlement or as provided by federal law;
- (2) Prohibit mandatory arbitration of sexual harassment claims, and make agreements for mandatory arbitration of sexual harassment claims unenforceable; and
- (3) Make confidentiality clauses in arbitration agreements unenforceable as to sexual harassment claims unless included in a specific legal settlement or as otherwise provided by federal law.

The Hawai'i State Commission on the Status of Women, American Association of University Women of Hawaii, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, Midwives



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Alliance of Hawaii, Oahu County Democrats, and an individual testified in support of this measure. The Hawai'i Civil Rights Commission and Hawai'i Women Lawyers provided comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1048, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Finance,

LUKE, Chair SYLVIA



State of Hawaii

House of Representatives The THIRTIETH Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.: SB 1048, SDI, HDI	Committee Referral: LAB, JUD, FID	Date:	3/29/19	
The committee is reconsidering its previ	ious decision on the measure.		-1-11+	
		s, with amendments (
U Pass s	hort form bill with HD to reco	mmit for future public	hearing (recomn	nit)
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. CULLEN, Ty J.K. (VC)				
3. ELI, Stacelynn K.M.				-
4. GATES, Cedric Asuega				
5. HASHIMOTO, Troy N.		-		~
6. HOLT, Daniel				
7. KITAGAWA, Lisa				
8. KOBAYASHI, Bertrand	~		· · · · · ·	
9. MATAYOSHI, Scot Z.			******	
10. NAKAMURA, Nadine K.			νηθο π	
11. NISHIMOTO, Scott Y.			· · · · · ·	
12. TODD, Chris				
13. WILDBERGER, Tina				
14. YAMASHITA, Kyle T.				
15. McDERMOTT, Bob			· · · · ·	
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TOTAL (15)		Ø	Ø	4
The recommendation is: Adop	oted D Not Adopt	ed		·
If joint re	-	did not suppor	t recommendatio	n.
Vice Chair's or designee's signature:	17 J.K.C	2		
Distribution: Original (White) – Committ	tee Duplicate (Yellow) -	Chief Clerk's Office	Duplicate (I	Pink) – HMSO