

HOUSE OF REPRESENTATIVES  
TASK FORCE ON SEXUAL HARASSMENT

April 15, 1993      Hearing Room 357  
5:00 p.m.      Tapes 1 - 2

MEMBERS PRESENT:    Rep. Bev Clarno, Chair  
                         Rep. Ray Baum  
                         Rep. Margaret Carter  
                         Rep. Avel Gordly

STAFF PRESENT:            Kathleen Beaufait, Legislative Counsel  
                         Rick Gaupo, Committee Clerk

CONSIDERED:            House Rules on Sexual Harassment

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These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

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TAPE 1, SIDE A

008 Chair Clarno opens the public hearing at 5:30 p.m. and asks for any public testimony

WORK SESSION ON SEXUAL HARASSMENT

028 Rep. Baum explains section-by-section PROPOSED HOUSE RULES: SEXUAL HARASSMENT (Exhibit A)

> Section 1  
    > Statement of purpose

060 > Section 2  
    > Goes beyond requirements of existing law  
    > Discussion of consensual sexual contact  
    > Rep. Gordly asks where this language comes from

110 > Sections 4 and 5  
    > Rep. Baum recommends changes  
        > Refers to page 4, lines 27-31 of the House Resolution

Draft

(Exhibit B)

> The chair should be from the majority party, and the vice-chair from the minority party  
> Kathleen Beaufait, Legislative Counsel, explains the procedure if one of the leadership is accused

193 > Section 6  
> Rep. Baum discusses the word "training"  
> Kathleen Beaufait suggest changing it to "education  
concerning  
sexual harassment"  
221 > Beaufait asks where language suggested by Rep. Baum  
concerning  
the chair and vice chair would be inserted

234 MOTION: Rep. Baum moves to ADOPT House Rule 20.01 as it regards  
to  
sexual harassment

VOTE: Hearing no objection the House Rule is ADOPTED

240 MOTION: Rep. Baum moves to AMEND Rule 20.01 by changing  
language  
discussed for paragraphs 5 and 6

VOTE: Hearing no objection the amendments are ADOPTED

250 Rep. Baum explains LC Draft 3914 section-by-section (Exhibit B)  
> Section 1  
> (1) - General statement  
> (2) - Rep. Carter: what is meant by "expected to  
discourage  
sexual harassment" in lines 13-14. Rep. Baum refers to  
Section  
8 for explanation  
> (3) - Process shall be either formal or informal, as the  
person  
chooses

310 > Chair Clarno asks question about "processed" in line 17.  
It  
is decided to change it to "resolved"  
> Discussion of "discreetly" on line 22

390 > Rep. Baum asks Legislative Counsel whether these  
rules  
apply beyond the current legislative session

433 > Section 2  
> (2) - The language needs to agree with the rules

TAPE 2, SIDE A

028 > Section 3  
> Notice to all employees

034 > Section 4  
> (2) - Rep. Carter asks about the intermediary. Rep.  
Baum  
explains  
> (5) - Rep. Carter proposes filling in the blank on line 31  
with  
"15". The blank shall be filled in with "10"

> Section 5  
> Rep. Carter suggests that the blank on page 5, line 22 be  
filled

in with "7"  
> Discussion of flow chart (Exhibit C)  
> Rep. Carter asks about the rules during the interim.

Legislative Counsel explains  
> Rep. Baum asks about page 5, line 10. Suggests adding "written"

between "formal" and "complaint"  
131 > On page 6, line 1, "5" is inserted in the blank

> Section 6  
> (2) - In line 21 insert "14" in the blank  
156 > (3) - Rep. Carter states why this section is important  
> This process keeps the committee in control of the questions  
> Rep. Gordly asks how to maximize due process.

Legislative

Counsel explains  
275 > Chair Clarno: We do not want to make the process too  
sexual intimidating for the one who filed the complaint of  
just harassment. Legislative Counsel states that often  
attorney having members ask questions instead of a zealous  
will reduce this fear  
350 > Discussion of language on page 6, line 30  
> Chair Clarno states hopes for actions of future committees

TAPE 1, SIDE B

032 > (4) - No television equipment allowed

> Section 7  
050 > (1) - Chair Clarno asks about "censure" on page 7, line  
18.

Legislative Counsel explains

117 > Section 9  
> Discussion of what to do when there is an alleged harasser  
but

no victim who wants to file a complaint  
> Rep. Baum: this is an extreme case. Do we even need to  
deal with it

> Rep. Clarno wants a complaint to be filed only at  
the consensus of both the majority and minority leaders.  
> Rep. Carter states that she thinks it should be one or

the other leader, in case the accused is either one of  
the leaders. Rep. Clarno agrees. In Section 9, line 13,  
delete "jointly", and insert after "by" the word "either"

258 > Section 10  
> Line 21: "may" is deleted and "shall" is inserted

270 > Section 11  
> Line 25 - 26: change language to read "taken against any  
person  
who participates..."

315 MOTION: Rep. Baum moves to ADOPT the conceptual amendments to LC  
Draft

3914 as discussed

VOTE: Hearing no objection the amendments are ADOPTED.

Chair Clarno adjourns the meeting at 6:55 p.m.

Submitted by

Reviewed by

Elizabeth Gaupo  
Committee Clerk

Randy Hilderbrand  
Committee Administrator

#### EXHIBIT LOG

- A - Proposed House Rules (20.01) - Staff - 1 page
- B - LC Draft 3914 - Staff - 9 pages
- C - Flow Chart - Staff - 2 pages