

HOUSE BILL NO. 512

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES KOTT, Barnes, Green, Kohring

Introduced: 2/12/96

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing English as the common language and related to the use of**
2 **English in public records and at public meetings of state agencies."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1. FINDINGS.** The legislature finds that

5 (1) this state has been enriched by its diversity, and the government should
6 always take steps to promote the dignity of all the heritages that form our society;

7 (2) many languages are used in this state, and language has the power to unite
8 people of differing backgrounds and heritages;

9 (3) English as the nation's single shared language is the one language that
10 crosses all ethnic, racial, cultural, and religious lines and allows diverse Americans to share
11 their various backgrounds; and

12 (4) the use of a common language as the language of public record in no way
13 infringes upon the rights of people to exercise the use of a primary language of their choice
14 for private conduct.

1 * **Sec. 2.** AS 01.10 is amended by adding new sections to read:

2 ARTICLE 5. COMMON LANGUAGE.

3 Sec. 01.10.200. COMMON LANGUAGE ESTABLISHED. The common
4 language of the state is English. Meetings of a state agency that are open to the public
5 shall be conducted in English. Except during a public meeting, this section does not
6 prohibit an officer or employee of a state agency from using a language other than
7 English in the scope of employment. Records of a state agency, including records
8 accepted by a state agency for recording or filing, must be in English.

9 Sec. 01.10.210. EXEMPTIONS. (a) AS 01.10.200 does not apply

10 (1) to instruction in a language other than English;

11 (2) to instruction designed to aid a student with limited English
12 proficiency;

13 (3) to bilingual education or activities if the education or activities are
14 authorized under federal law;

15 (4) to the international promotion of commerce, tourism, and sporting
16 events;

17 (5) when the public safety or health or an emergency requires the use
18 of a language other than English;

19 (6) to an individual providing testimony or making a statement to a
20 state agency if the individual is not an officer or employee of a state agency and if the
21 testimony or statement is translated into English and included in the records of the
22 agency.

23 (b) A person may not be denied employment by a state agency based solely
24 on that individual's lack of facility in a language other than English, except when
25 facility in another language is a bona fide job qualification required to fulfill a function
26 listed in (a) of this section.

27 Sec. 01.10.220. REGULATION OF PRIVATE LANGUAGE PROHIBITED.

28 AS 01.10.200 may not be construed in a way that infringes on the rights of people to
29 use languages other than English in private activities. A state agency may not restrict
30 the use of languages other than English in private activities.

31 Sec. 01.10.230. PRIVATE RIGHT OF ACTION. A person may bring an

1 action against a state agency to enforce AS 01.10.200 - 01.10.220.

2 Sec. 01.10.240. DEFINITION. In AS 01.10.200 - 01.10.240, "state agency"
3 means an entity of the state or a political subdivision of the state including a board or
4 commission, the University of Alaska, a public authority or corporation, a municipality,
5 a school district, or other governmental unit of the state or a political subdivision of
6 the state.