

CS FOR HOUSE BILL NO. 512(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 3/20/96

Referred: Judiciary

Sponsor(s): REPRESENTATIVES KOTT, Barnes, Green, Kohring

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing English as the official 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) Native people were the first to establish a richness and variety of languages
8 in this state;

9 (3) many languages are used in this state, and language has the power to unite
10 people of differing backgrounds and heritages;

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

14 (5) the use of an official language as the language of public record in no way

1 infringes upon the rights of people to exercise the use of a primary language of their choice
2 for private conduct, or for speaking in public buildings or other public or private places.

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

4 **ARTICLE 5. OFFICIAL LANGUAGE.**

5 **Sec. 01.10.200. OFFICIAL LANGUAGE ESTABLISHED.** (a) The official
6 language of the state is English. Meetings of a state agency that are open to the public
7 shall be conducted in English. Except during a public meeting, this section does not
8 prohibit an officer or employee of a state agency from orally using a language other
9 than English in the scope of employment. Written records of a state agency, including
10 records accepted by a state agency for recording or filing, must be in English.

11 (b) A municipality may, by ordinance or resolution, elect not to be subject to
12 (a) of this section. A municipal school district or regional educational attendance area
13 may, by vote of the school board, elect not to be subject to (a) of this section.

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

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

16 (2) to instruction designed to aid a student with limited English
17 proficiency;

18 (3) to bilingual education or activities if the education or activities are
19 authorized under state or federal law;

20 (4) to the international promotion of commerce, tourism, and sporting
21 events;

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

24 (6) to an individual providing testimony or making a statement to a
25 state agency if the individual is not an officer or employee of a state agency and if the
26 testimony or statement is translated into English and included in the records of the
27 agency.

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

1 Sec. 01.10.220. REGULATION OF PRIVATE LANGUAGE PROHIBITED.
2 AS 01.10.200 may not be construed in a way that infringes on the rights of people to
3 use languages other than English in private activities. A state agency may not restrict
4 the use of languages other than English in private activities.

5 Sec. 01.10.230. PRIVATE RIGHT OF ACTION. A person may bring an
6 action against a state agency to enforce AS 01.10.200 - 01.10.220.

7 Sec. 01.10.240. DEFINITION. In AS 01.10.200 - 01.10.240, "state agency"
8 means an entity of the state or a political subdivision of the state including a board or
9 commission, the University of Alaska, a public authority or corporation of the state,
10 a municipality, a school district, or other governmental unit of the state or a political
11 subdivision of the state.