

Original sponsors: Bowman, Chance,
Degnan, et al

Offered: 3/16/71
Referred: Finance

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 196

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the State Commission of Human
7 Rights."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18.80.020 is amended to read:

10 Sec. 18.80.020. COMPOSITION AND APPOINTMENT. The commission
11 consists of seven [FIVE] commissioners, appointed by the governor for
12 staggered terms of five years, and confirmed by the legislature.

13 * Sec. 2. AS 18.80 is amended by adding a new section in art. 1 to read:

14 Sec. 18.80.075. LEGAL COUNSEL. (a) The attorney general is the
15 legal counsel for the commission. He shall advise the commission in
16 legal matters arising in the discharge of its duties, shall assist in
17 the preparation and presentation of complaints to the commission, and
18 shall represent the commission in legal actions to which it is a party.

19 (b) The commission may employ temporary legal counsel for pro-
20 ceedings before the commission and court actions involving the commis-
21 sion in which proceedings or actions the attorney general is
22 representing another agency of the state government.

23 * Sec. 3. AS 18.80.120 is amended to read:

24 Sec. 18.80.120. HEARING. If the informal efforts to eliminate
25 the alleged discrimination are unsuccessful, the executive director
26 shall inform the commission of the failure, and the commission shall
27 serve written notice together with a copy of the complaint, requiring
28 the person, employer, labor organization or employment agency, charged
29 in the complaint to answer the allegations of the complaint at a hearing

AMS

1 before the commission. The hearing shall be held by the commission at
2 the place where the unlawful conduct is alleged to have occurred unless
3 the person, employer, labor organization or employment agency requests
4 a change of venue for good cause shown. The case in support of the
5 complaint shall be presented before the commission by the executive
6 director or his designee who shall be a bona fide resident of the
7 state. [THE EXECUTIVE DIRECTOR MAY REQUEST THE ASSISTANCE OF THE
8 DEPARTMENT OF LAW IN THE PREPARATION AND PRESENTATION OF ANY COMPLAINT
9 BEFORE THE COMMISSION.] The person charged in the complaint may file
10 a written answer to the complaint and may appear at the hearing in
11 person or otherwise, with or without counsel, and submit testimony.
12 The executive director has the power reasonably and fairly to amend
13 the complaint, and the person charged has the power reasonably and
14 fairly to amend his answer. The commission shall not be bound by the
15 strict rules of evidence prevailing in courts of law or equity. The
16 testimony taken at the hearing shall be under oath and shall be
17 transcribed.
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