

1 IN THE SENATE

BY T. MILLER

2 SENATE BILL NO. 38

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 unwarranted governmental invasions
7 of the privacy of employees of the state and its
8 political subdivisions."

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

10 * Section 1. AS 39 is amended by adding a new chapter to read:

11 CHAPTER 26. RIGHTS OF STATE EMPLOYEES.

12 Sec. 39.26.010. PROHIBITED ACTS. (a) No department, agency,
13 official, officer, or any person employed by the state or a political
14 subdivision of the state may:

15 (1) require or request any employee of the state or a
16 political subdivision of the state or person seeking employment with
17 the state or a political subdivision of the state to disclose his race,
18 religion or national origin;

19 (2) require or request any employee of the state or a
20 political subdivision of the state to participate in any way in any
21 activity or undertaking unless the activity or undertaking is related
22 to the performance of official duties;

23 (3) require or request any employee of the state or a
24 political subdivision of the state to make any report concerning any
25 of his activities or undertakings unless the activity or undertaking is
26 related to the performance of his official duties;

27 (4) require or request any employee of the state or a
28 political subdivision of the state or a person seeking employment with
29 the state or a political subdivision of the state to submit to any

1 interrogation or examination or to take any psychological test which
2 is designed to elicit from him information concerning his personal
3 relationship with any person connected with him by blood or marriage,
4 or concerning his religious beliefs or practices, or concerning his
5 attitude or conduct with respect to sexual matters;

6 (5) coerce any employec of the state or a political sub-
7 division of the state to invest his earnings in bonds or other obliga-
8 tions or securities issued by the United States or any of its depart-
9 ments or agencies;

10 (6) require or request any employee of the state or a
11 political subdivision of the state to disclose any items of his property
12 income, other assets, source of income, liabilities, his personal or
13 domestic expenditures or those of any member of his family or household,
14 unless the information is needed to make a final determination with
15 respect to the tax or other liability of the person owed to the state
16 or a political subdivision of the state, or unless the information is
17 needed to make a final determination as to whether or not certain items
18 tend to indicate a conflict of interest in respect to the performance
19 of any of the official duties of the person;

20 (7) restrict or attempt to restrict after-working-hour
21 statements, pronouncements or other activities, not otherwise prohibited
22 by law, of employees of the state or a political subdivision of the
23 state;

24 (8) require or request any person or department to violate
25 any provisions of this section.

26 (b) The provisions of (a) of this section shall not be interpreted
27 as diminishing or taking away from the Department of Public Safety the
28 duty to conduct criminal investigations of state employees suspected
29 of being involved in criminal activity.

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Sec. 39.26.020. APPLICATION OF PROVISIONS. The provisions of sec. 10 of this chapter apply to those state employees in the classified and partially exempt services.

Sec. 39.26.030. PENALTY. A person who violates any provision of sec. 10 of this chapter is guilty of a misdemeanor.