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Referred: State Affairs

1 IN THE SENATE

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POLAND AND CROFT

2 HCS CS SENATE BILL NO. 60 (Rules) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to arbitrary discrimination; and
7 providing for an effective date."

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

9 * Section 1. AS 18.80.060(a)(5) is amended to read:

10 (5) study the problems of discrimination in all or specific
11 fields of human relationships, and foster through community effort or
12 goodwill, cooperation and conciliation among the groups and elements of
13 the population of the state, and publish results of investigations and
14 research as in its judgment will tend to eliminate discrimination because
15 of race, religion, color, national ancestry, physical handicap, age,
16 [OR] sex, marital status, changes in marital status, pregnancy or parent-
17 hood.

18 * Sec. 2. AS 18.80.200 is amended to read:

19 Sec. 18.80.200. PURPOSE. (a) It is determined and declared as a
20 matter of legislative finding that discrimination against an inhabitant
21 of the state because of race, religion, color, national origin, age,
22 [OR] sex, marital status, changes in marital status, pregnancy or parent-
23 hood is a matter of public concern and that such discrimination not only
24 threatens the rights and privileges of the inhabitants of the state but
25 also menaces the institutions of the state and threatens peace, order,
26 health, safety and general welfare of the state and its inhabitants.

27 (b) Therefore, it is the policy of the state and the purpose of
28 this chapter to eliminate and prevent discrimination in employment, in
29 credit and financing practices, in places of public accommodation, in

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1 housing accommodations and in the sale or lease of unimproved property
2 because of race, religion, color, national origin, [OR, IN THE CASE OF
3 EMPLOYMENT, BECAUSE OF] sex, [OR] age, marital status, changes in
4 marital status, pregnancy or parenthood. It is not the purpose of this
5 chapter to supersede laws pertaining to child labor, the age of majority
6 or other age restrictions or requirements.

7 * Sec. 3. AS 18.80.210 is amended to read:

8 Sec. 18.80.210. CIVIL RIGHTS. The opportunity to obtain employ-
9 ment, credit and financing, public accommodations, housing accommodations
10 and property without discrimination because of sex, marital status,
11 changes in marital status, pregnancy, parenthood, race, religion, color
12 or national origin is a civil right.

13 * Sec. 4. AS 18.80.220(a) is amended to read:

14 (a) It is unlawful for

15 (1) an employer to refuse employment to a person, or to bar
16 him from employment, or to discriminate against him in compensation or
17 in a term, condition, or privilege of employment because of his race,
18 religion, color or national origin, or because of his age, physical
19 handicap, [OR] sex, marital status, changes in marital status, pregnancy
20 or parenthood when the reasonable demands of the position do not require
21 distinction on the basis of age, physical handicap, [OR] sex, marital
22 status, changes in marital status, pregnancy or parenthood [DISTINCTION];

23 (2) a labor organization, because of a person's sex, marital
24 status, changes in marital status, pregnancy, parenthood, age, race,
25 religion, color or national origin, to exclude or to expel him from its
26 membership, or to discriminate in any way against one of its members or
27 an employer or an employee;

28 (3) an employer or employment agency to print or circulate or
29 cause to be printed or circulated a statement, advertisement, or

1 publication, or to use a form of application for employment or to make
2 an inquiry in connection with prospective employment, which expresses,
3 directly or indirectly, a limitation, specification or discrimination
4 as to sex, marital status, changes in marital status, pregnancy, parent-
5 hood, age, race, creed, color or national origin, or an intent to make
6 the limitation, unless based upon a bona fide occupational qualification

7 (4) an employer, labor organization or employment agency to
8 discharge, expel or otherwise discriminate against a person because he
9 has opposed any practices forbidden under secs. 200 - 280 of this chap-
10 ter or because he has filed a complaint, testified or assisted in a
11 proceeding under this chapter; [OR]

12 (5) an employer to discriminate in the payment of wages as
13 between the sexes, or to employ a female in an occupation in this state
14 at a salary or wage rate less than that paid to a male employee for
15 work of comparable character or work in the same operation, business or
16 type of work in the same locality; or

17 (6) a person to print, publish, broadcast or otherwise
18 circulate a statement, inquiry or advertisement in connection with pros-
19 pective employment which expresses directly, a limitation, specification
20 or discrimination as to sex, marital status, changes in marital status,
21 pregnancy, parenthood, age, race, religion, color or national origin,
22 unless based upon a bona fide occupational qualification.

23 * Sec. 5. AS 18.80.230 is amended to read:

24 Sec. 18.80.230. UNLAWFUL PRACTICES IN PLACES OF PUBLIC ACCOMMODA-
25 TION. It is unlawful for the owner, lessee, manager, agent or employee
26 of a public accommodation

27 (1) to refuse, withhold from or deny to a person any of its
28 services, goods, facilities, advantages or privileges because of sex,
29 marital status, changes in marital status, pregnancy, parenthood, race,

1 religion, color or national origin;

2 (2) to publish, circulate, issue, display, post or mail a
3 written or printed communication, notice or advertisement which states
4 or implies

5 (A) that any of the services, goods, facilities, advan-
6 tages or privileges of the public accommodation will be refused,
7 withheld from or denied to a person of a certain race, religion,
8 sex, marital status, color or national origin or because of preg-
9 nancy, parenthood, or a change in marital status, or

10 (B) that the patronage of a person belonging to a
11 particular race, creed, sex, marital status, color or national
12 origin or who, because of pregnancy, parenthood, or a change in
13 marital status, is unwelcome, not desired or solicited.

14 * Sec. 6. AS 18.80.240 is amended to read:

15 Sec. 18.80.240. UNLAWFUL PRACTICES IN THE SALE OR RENTAL OF
16 PROPERTY OR HOUSING ACCOMMODATIONS. It is unlawful for the owner,
17 lessee, manager or other person having the right to sell, lease or rent
18 a housing accommodation or unimproved property

19 (1) to refuse to sell, lease or rent the housing accommoda-
20 tion or unimproved property to a person because of sex, marital status,
21 changes in marital status, pregnancy, race, religion, color or national
22 origin;

23 (2) to discriminate against a person because of sex, marital
24 status, changes in marital status, pregnancy, race, religion, color or
25 national origin in a term, condition or privilege relating to the use,
26 sale, lease or rental of a housing accommodation or unimproved property;
27 or

28 (3) to make a written or oral inquiry or record of the sex,
29 marital status, changes in marital status, pregnancy, race, religion,

1 color or national origin of a person seeking to buy, lease or rent a
2 housing accommodation or unimproved property.

3 * Sec. 7. AS 18.80.250 is amended to read:

4 Sec. 18.80.250. UNLAWFUL FINANCING PRACTICE. It is unlawful for
5 a financial institution or other commercial institution extending secured
6 or unsecured credit, upon receiving an application for financial
7 assistance or credit for the acquisition, construction, rehabilitation,
8 repair or maintenance of a housing accommodation or other property or
9 services, or the acquisition or improvement of unimproved property, or
10 upon receiving an application for any sort of loan of money, to permit
11 one of its officials or employees during the execution of his duties

12 (1) to discriminate against the applicant because of sex,
13 marital status, changes in marital status, pregnancy, parenthood, race,
14 religion, color or national origin in a term, condition or privilege
15 relating to the obtainment or use of the institution's financial assis-
16 tance or credit; [OR]

17 (2) to make or cause to be made a written or oral inquiry or
18 record of the sex, marital status, changes in marital status, pregnancy,
19 parenthood, race, religion, color or national origin of a person seeking
20 the institution's financial assistance or credit;

21 (3) to discount a person's income, in whole or in part, on
22 the basis of marital status or on the basis of the person being of child-
23 bearing age; or

24 (4) to refuse to extend credit, issue a credit card or make
25 a loan to a married person in that person's own name, if so requested
26 by the person.

27 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
28 070(c).