



# LAWS OF ALASKA

1972

Source

CSHB 196 am S

Chapter No.

42

## AN ACT

Relating to the State Commission for Human Rights.

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

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

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

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

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

(b) The commission may employ temporary legal counsel for proceedings before the commission and court actions involving the commission in which proceedings or actions the attorney general is representing another agency of the state government.

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

Sec. 18.80.120. HEARING. If the informal efforts to eliminate the alleged discrimination are unsuccessful, the executive director shall inform the commission of the failure, and the commission shall serve written notice together with a copy of the complaint, requiring the person,

employer, labor organization or employment agency, charged in the complaint to answer the allegations of the complaint at a hearing before the commission. The hearing shall be held by the commission at the place where the unlawful conduct is alleged to have occurred unless the person, employer, labor organization or employment agency requests a change of venue for good cause shown. The case in support of the complaint shall be presented before the commission by the executive director or his designee who shall be a bona fide resident of the state. The person charged in the complaint may file a written answer to the complaint and may appear at the hearing in person or otherwise, with or without counsel, and submit testimony. The executive director has the power reasonably and fairly to amend the complaint, and the person charged has the power reasonably and fairly to amend his answer. The commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and shall be transcribed at the request of any party to the hearing.

\* Sec. 4. AS 18.80.210 is amended to read:

Sec. 18.80.210. CIVIL RIGHTS. The opportunity to obtain employment, public accommodations, housing accommodations and property without discrimination because of sex, race, religion, color or national origin is a civil right.

\* Sec. 5. AS 18.80.220(2) is amended to read:

(2) a labor organization, because of a person's sex, age, race, religion, color or national origin, to exclude or to expel him from its membership, or to discriminate in any way against one of its members or an employer or an employee;

\* Sec. 6. AS 18.80.220(3) is amended to read:

(3) an employer or employment agency to print or circulate or cause to be printed or circulated a statement, advertisement, or publication, or to use a form of application for employment or to make an inquiry in connection with prospective employment, which expresses, directly or indirectly, a limitation, specification or discrimination as to sex, age, race, creed, color or national origin, or an intent to make the limitation, unless based upon a bona fide occupational qualification;

\* Sec. 7. AS 18.80.230 is amended to read:

Sec. 18.80.230. UNLAWFUL PRACTICES IN PLACES OF PUBLIC ACCOMMODATION. It is unlawful for the owner, lessee, manager, agent or employee of a public accommodation

(1) to refuse, withhold from or deny to a person any of its services, goods, facilities, advantages or privileges because of sex, race, religion, color or national origin;

(2) to publish, circulate, issue, display, post or mail a written or printed communication, notice or advertisement which states or implies that any of the

services, goods, facilities, advantages or privileges of the public accommodation will be refused, withheld from or denied to a person of a certain race, religion, sex, color or national origin or that the patronage of a person belonging to a particular race, creed, sex, color or national origin is unwelcome, not desired or solicited.

\* Sec. 8. AS 18.80.240 is amended to read:

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

(1) to refuse to sell, lease or rent the housing accommodation or unimproved property to a person because of sex, race, religion, color or national origin;

(2) to discriminate against a person because of sex, race, religion, color or national origin in a term, condition or privilege relating to the use, sale, lease or rental of a housing accommodation or unimproved property; or

(3) to make a written or oral inquiry or record of the sex, race, religion, color or national origin of a person seeking to buy, lease or rent a housing accommodation or unimproved property.

\* Sec. 9. AS 18.80.250 is amended to read:

Sec. 18.80.250. UNLAWFUL FINANCING PRACTICE. It is unlawful for a financial institution, upon receiving an application for financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of a housing accommodation or the acquisition or improvement of unimproved property, to permit one of its officials or employees during the execution of his duties

(1) to discriminate against the applicant because of sex, race, religion, color or national origin in a term, condition or privilege relating to the obtainment or use of the institution's financial assistance; or

(2) to make or cause to be made a written or oral inquiry or record of the sex, race, religion, color or national origin of a person seeking the institution's financial assistance.

\* Sec. 10. AS 18.80.255 is amended to read:

Sec. 18.80.255. UNLAWFUL PRACTICES BY THE STATE OR ITS POLITICAL SUBDIVISIONS. It is unlawful for the state or any of its political subdivisions

(1) to refuse, withhold from or deny to a person any local, state or federal funds, services, goods, facilities, advantages or privileges because of race, religion, sex, color or national origin;

(2) to publish, circulate, issue, display, post or mail a written or printed communication, notice or

advertisement which states or implies that any local, state or federal funds, services, goods, facilities, advantages or privileges of the office or agency will be refused, withheld from or denied to a person of a certain race, religion, sex, color or national origin or that the patronage of a person belonging to a particular race, creed, sex, color or national origin is unwelcome, not desired or solicited.

\* Sec. 11. AS 44.19.955 - 44.19.999 are repealed.