

**HOUSE BILL NO. 162**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE NICHOLIA**

**Introduced: 2/27/97**

**Referred: Community and Regional Affairs, Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the sale or purchase of authentic Native handicrafts on**  
2 **certain licensed premises; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 04.16 is amended by adding a new section to read:

5 **Sec. 04.16.095. Sale or purchase of handicrafts on licensed premises.** (a)

6 A person may not sell, offer to sell, purchase, or offer to purchase authentic Native  
7 handicrafts if the sale, purchase, or offer is made on premises that are licensed to sell  
8 alcoholic beverages under AS 04.11.090. In this subsection, "authentic Native  
9 handicraft" has the meaning given in AS 45.65.070.

10 (b) An individual who violates (a) of this section is subject to

11 (1) a fine of \$300 and up to 90 days in jail for the first offense; and

12 (2) a fine of \$600 and up to one year in jail for each offense after the  
13 first offense.

14 (c) A person who is not an individual and who violates (a) of this section is

1 subject to a fine of \$1,000 for the first offense and \$2,000 for each offense after the  
2 first offense.

3 (d) In addition to the penalties under (b) and (c) of this section, and  
4 notwithstanding AS 04.11.370, the board shall suspend a license issued under  
5 AS 04.11.090 for 45 days for a first violation of (a) of this section, and shall revoke  
6 the license for a second violation of (a) of this section, if

7 (1) the licensee violates (a) of this section on the licensed premises; or

8 (2) a person who is employed to work on the licensed premises violates  
9 (a) of this section while working on the licensed premises.

10 (e) This section does not apply to sales, offers to sell, purchases, or offers to  
11 purchase made in arenas or convention centers owned by the state or a political  
12 subdivision of the state.

13 \* **Sec. 2.** AS 04.16.180(a) is amended to read:

14 (a) Except as provided in AS 04.11.015, AS 04.16.025, **04.16.050(b)**  
15 [AS 04.16.050(b)], 04.16.051, **04.16.095**, 04.16.200 - 04.16.210, and AS 04.21.065, a  
16 person who violates a provision of this title or a regulation adopted by the board is  
17 guilty, upon conviction, of a class A misdemeanor. Each violation is a separate  
18 offense.

19 \* **Sec. 3.** AS 04.21.065 is amended by adding a new subsection to read:

20 (m) A licensee under AS 04.11.090 who is subject to the prohibition in  
21 AS 04.16.095(a) shall post on the licensed premises a warning sign that reads  
22 "WARNING: THE SALE OR PURCHASE OF AUTHENTIC NATIVE  
23 HANDICRAFTS IS PROHIBITED BY LAW ON THESE PREMISES. A person who  
24 violates this prohibition is subject to criminal penalties. A violation may result in the  
25 suspension or revocation of this establishment's liquor license." The warning sign  
26 must be at least 11 inches by 14 inches, and the lettering must be at least one-half inch  
27 high and in a color that contrasts with the background of the sign. The licensee shall  
28 display the sign in a conspicuous manner.

29 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).