

**CS FOR HOUSE BILL NO. 162(CRA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 4/28/97

Referred: Judiciary, Finance

Sponsor(s): REPRESENTATIVE NICHOLIA

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the sale or purchase of handicrafts on certain premises; and  
2 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 knowingly sell, offer to sell, purchase, or offer to purchase authentic  
7 Native handicrafts or other handicrafts if the sale, purchase, or offer is made on  
8 premises that are licensed to sell alcoholic beverages under AS 04.11.090 or 04.11.150.

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

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

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

13 (c) A person who is not an individual and who violates (a) of this section is  
14 subject to a fine of \$1,000 for the first offense and \$2,000 for each offense after the

1 first offense.

2 (d) In addition to the penalties under (b) and (c) of this section, and  
3 notwithstanding AS 04.11.370, the board shall suspend a license issued under  
4 AS 04.11.090 or 04.11.150 for 45 days for a first violation of (a) of this section, and  
5 shall revoke the license for a second violation of (a) of this section, if

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

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

9 (e) This section does not apply to sales, offers to sell, purchases, or offers to  
10 purchase made on premises where beer or wine is sold under a special events permit  
11 issued under AS 04.11.240.

12 (f) In this section,

13 (1) "authentic Native handicraft" has the meaning given in  
14 AS 45.65.070;

15 (2) "knowingly" has the meaning given in AS 11.81.900;

16 (3) "other handicrafts" means items that are produced, decorated, or  
17 fashioned by an individual.

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

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

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

25 (m) A licensee under AS 04.11.090 or 04.11.150 who is subject to the  
26 prohibition in AS 04.16.095(a) shall post on the licensed premises a warning sign that  
27 reads "WARNING: THE SALE OR PURCHASE OF AUTHENTIC NATIVE  
28 HANDICRAFTS OR OTHER HANDICRAFTS IS PROHIBITED BY LAW ON  
29 THESE PREMISES. A person who violates this prohibition is subject to criminal  
30 penalties. A violation may result in the suspension or revocation of this  
31 establishment's liquor license." The warning sign must be at least 11 inches by 14

1 inches, and the lettering must be at least one-half inch high and in a color that  
2 contrasts with the background of the sign. The licensee shall display the sign in a  
3 conspicuous manner.

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