

**SB**

**97**



## HOUSE JUDICIARY COMMITTEE

STATE CAPITOL, ROOM 120  
(907) 465-4990

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Room 405  
(907) 465-4919

### MEMORANDUM

Date: March 17, 2008

To: Representative John Coghill  
Chair House Rules Committee

From: Representative Jay Ramras  
Chair House Judiciary Committee

Re: Referral File for HCS CSSB 97(JUD) 25LS0505\T

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Attached please find the following documents, which represent the referral file for HCS CSSB 97(JUD) 25LS0505\T:

- Legal memo from Theresa Bannister re: equal protection
- HCS CSSB 97(JUD) 25LS0505\T
- Flow Chart re: Eligibility to Use the Silver Hand
- Sponsor Statement
- Sectional
- Legal Memo re: HB50 (25-LS0265\A)
- Fiscal Note EED
- CSS97(JUD) 25-LS0405\K
- SB97 25-LS0405\M
- Don Mitchell legal memo
- Dan Branch legal memo
- Theresa Bannister legal memo
- Support
- HJUD Report

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
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STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 14, 2008

**SUBJECT:** HCS CSSB 97(JUD) relating to identification seals for certain articles created or crafted in the state by Alaska Native persons (Work Order No. 25-LS0405\T)

**TO:** Representative Jay Ramras  
Chair of the House Judiciary Committee  
Attn: Jane Pierson

**FROM:** Theresa Bannister *TLB*  
Legislative Counsel

This memo accompanies the bill described above. Please be aware that there is an equal protection issue present in the bill because, in order to be entitled to a seal for an article, a person must be a member of an Alaskan Indian tribe.

If I may be of further assistance, please advise.

TLB:med  
08-190.med

Enclosure

**Senate Bill 97**  
**Eligibility to Use the Silver Hand**  
**Step One: Is the Artist Eligible?**

**Is Applicant An Alaska Resident?**

Defined in AS 01.10.055: Physically present in the state with intent to remain indefinitely; if not in the State, intend to return. (PFD Requirements)



**Is Applicant An Alaska Native Person?**

Is an Enrolled Member of an Alaska Tribe

An Alaska Tribe is an organized group or community in Alaska that's an Indian Tribe.

An Indian Tribe has the meaning given in 25 U.S.C. 450b(e), which is the federal Self-Determination & Education Assistance Act (SDEA), wherein "Indian Tribe means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established by ANCSA, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians." An Indian tribe listed as eligible to receive services provided under SDEA, is eligible only for purposes of that act and no other purpose.



**Permit  
Granted**

**Senate Bill 97**  
**Eligibility to Use the Silver Hand**  
**Step Two: Is the Artwork Eligible?**

Is the Artwork Created or Crafted  
by the Qualifying Artist, in Alaska?



Is it Art?  
Is it A Creation or Crafting Of:

A visual article (includes paintings, sculptures, drawings, mosaics, handmade prints of photographs, etchings, lithographs, and serigraphy); calligraphy; clay, textile, fiber, wood, metal, plastic, glass, or a combination of those things; Traditional Alaska Native materials, including ivory, bone, glass, baleen, animal skins, wood, or furs; A collage or combination of two or more the above categories.



Is it Original?



New, unique, not a reproduction. Created by one person without the use of mechanized duplication instruments, electronic duplication instruments, or other devices or systems designed to copy large numbers of articles.



**Identification Seal Granted**

SESSION ADDRESS:  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4925  
Fax: (907) 465-3517  
Toll Free: 1-800-821-4925

# Senator Gary Stevens

## Alaska State Legislature

INTERIM ADDRESS:  
112 Mill Bay Road  
Kodiak, Alaska 99615  
(907) 486-4925  
Fax: (907) 486-5264



### Sponsor Statement for Senate Bill 97

"An Act relating to identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices"

Senate Bill 97 seeks to improve the statutes governing the administration of the Silver Hand program. The Silver Hand program was created to help promote the creation, appreciation, and sale of Alaska Native art of the highest quality. Alaska Natives have a great variety of artistic traditions stretching back for millennia and which are still an important part of life today. Alaska Native art shares the cultures of Alaska Native peoples and enriches the lives of all Alaskans today. It is admired around the world, and is a vital part of the personal and community expression of Alaska Native identity. Alaska Native art is also highly valued in the marketplace, both within the state boundaries, and nationally and internationally. For so many reasons, it is good for all Alaskans to promote the creation of Alaska Native art and to ensure the legitimacy of Alaska Native art.

SB 97 will make several targeted changes to the law under which the Alaska State Council on the Arts administers the Silver Hand program. Among the changes it seeks to effect, it will delete obsolete references to agents, refers to the creations of Alaska Native artists with the term art instead of handicraft, clarifies the penalty for violating the Silver Hand laws and that sale and purchase of Silver Hand seals is prohibited, and sets out clearly the conduct related to Silver Hand seals that is not allowed.

SB 97 will take a good program and make it better. I urge your support passage of this legislation.

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## MEMORANDUM

March 5, 2007

**SUBJECT:** Sectional Summary of SB 97 relating to identification seals for certain articles created or crafted in the state by Alaska Native persons. (Work Order No. 25-LS0405M)

**TO:** Senator Gary Stevens  
Attn: Doug Letch

**FROM:** *JB*  
Theresa Bannister  
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

**Section 1.** Amends AS 44.27.050 to conform the description of the identification seal duties of the Alaska State Council on the Arts to the changes made in this bill.

**Section 2.** Amends the list of unfair trade practices in the state's unfair trade practices act to add the identification seal conduct prohibited under AS 45.65.055.

**Section 3.** Amends the criteria that determine who may obtain an identification seal. Amends the criteria that determine which articles the seal may be affixed to.

**Section 4.** Amends the description of the responsibility of the Alaska State Council on the Arts relating to identification seals. Conforms the language to other changes made in this bill and adds fee collection responsibility.

**Section 5.** Amends AS 45.65.030(a) to conform to other changes made in this bill and to require that a space, rather than a blank line, be included for the artist's name and the place of origin of the article.

**Section 6.** Amends AS 45.65.040(a) to remove the reference to an agent in order to reflect that a permit can only be issued by the Alaska State Council on the Arts.

**Section 7.** Amends AS 45.65.040(d) to require the Alaska State Council on the Arts to determine whether a person is eligible for the permit, as well as whether an article is eligible for an identification seal. Deletes the reference to an agent.

Senator Gary Stevens  
March 5, 2007  
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**Section 8.** Amends AS 45.65.040(e) to allow a person to report an identification seal violation and to delete the reference to agents.

**Section 9.** Adds a new section that describes the conduct that is prohibited when dealing with identification seals.

**Section 10.** Amends AS 45.65.060(a) to refer to the new sec. 45.65.055 (prohibited conduct) to describe what will be considered a misdemeanor with regard to identification seals. Adds a definition of "knowingly" and deletes "willfully."

**Section 11.** Amends AS 45.65.060(c) to conform the language to other changes made in the Act.

**Section 12.** Amends the definition to define "authentic Alaska Native art" as art that is created or crafted by an Alaska Native person.

**Section 13.** Amends the definition section to add definitions of "Alaska Native person," "art," "identification seal," "original," and "recognized Alaska tribe."

**Section 14.** Repeals certain provisions of AS 45.65.

If I may be of further assistance, please advise.

TLB:ljw  
07-109.ljw

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 97  
 ( ) Publish Date: \_\_\_\_\_

Identifier (file name): SB 97: SB97-DEED-AC-02-20-08  
 Title: An Act relating to identification seals for certain articles  
 Dept. Affected: Education & Early Development  
created in the state by Alaska Native persons. RDU Commissions & Boards  
Alaska Council on the Arts  
 Sponsor: Senator Stevens  
 Requester: Economic Dev., Trade & Tourism Component Number 192

**Expenditures/Revenues** (Thousands of \_\_\_\_\_)  
 Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
TOTAL								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)

This legislation helps clarify existing law to identify genuine Alaska Native art that is crafted in the state by Alaska Native individuals.

Prepared by: Richard Luther Phone 465-2803  
 Division: Commissioner's Office Date/Time 2/20/08 3:30  
 Approved by: Barbara Thompson, Interim Commissioner Date 2/20/2006

March 29, 2007

FROM: Don Mitchell

SUBJECT: Senate Bill No. 97 (An Act Relating to the Identification Seals for Certain Articles Created or Crafted in the State by Alaska Native Persons)

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You have asked me to analyze SB No. 97 to identify the policy issues, and possible constitutional issues, of which the Alaska Legislature should be aware during its consideration of the bill.

In 1961 the Alaska Legislature enacted a statute that authorized the Alaska Commissioner of Commerce to administer a program that authorized a "Native" who at a location within the state produced, decorated, or fashioned an "authentic Native article of handicraft" to obtain an identification seal that, for marketing purposes, identified the article as such. See ch. 40 SLA 1961. Section 6(1) of the statute defined the term "Native" to mean "any resident Eskimo, Aleut, or Indian possessing not less than one-quarter Eskimo, Aleut, or Indian blood".

Since 1971 the Alaska Legislature has amended the 1961 statute several times. Today the Native handicraft seal program, which now has operated without major problem or controversy for almost half a century, is codified at A.S. 45.65.010 et seq.

SB No. 97 amends A.S. 45.95.010 et seq. in two significant respects. As described below, SB No. 97 expands the types of articles that are eligible to obtain an identification seal, and it changes the criteria that identify the individuals who are a member of the class of individuals who may obtain an identification seal.

Articles Eligible to Obtain an Identification Seal

Pursuant to A.S. 45.65.010(a), only an article that is an "authentic Native handicraft" (as A.S. 45.65.070(1) defines that term) is eligible for an identification seal. Section 3 of SB No. 97 amends A.S. 45.65.010(a) to make, not only handicrafts, but also all other "original articles of

authentic Alaska Native art created or crafted in the state" eligible for a seal.

Artists Eligible to Obtain an Identification Seal

Pursuant to A.S. 45.65.010(a), only a "Native" artist may obtain an identification seal for a handicraft that he or she has made within the state. Section 3 of SB No. 97 amends A.S. 45.65.010(a) to authorize an "Alaska Native person", rather than a "Native" to obtain an identification seal. Section 13 of SB No. 97 then amends A.S. 45.65.070 to codify two new terms as terms of art. The first is "Alaska Native person", which is defined to mean a state resident "who is a member of a recognized Alaska tribe". The second is "recognized Alaska tribe", which is defined to mean

- (A) a village, or other organized group or community, in this state that is listed, on or after the effective date of this Act, by the United States Bureau of Indian Affairs as an Indian tribe under 25 U.S.C. 479a-1<sup>1</sup> that is eligible for the special programs and services provided by the United States to Indians because of their status as Indians;  
o
- (B) a group of individuals who have been formally recognized as an Alaska Native tribe by a statute of this state, including a statute that authorizes a commission or other organization of this state to recognize the tribal status of a group of a group of Alaska Native persons.

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<sup>1</sup>25 U.S.C. 479a-1 codifies section 104 of the Federally Recognized Indian Tribe List Act (FRITLA), Pub. L. No. 103-454, Title I, 108 Stat. 4791 (1994). Section 104 provides:

- (A) PUBLICATION OF THE LIST. - The Secretary [of the Interior] shall publish in the Federal Register a list of all Indian tribes which the Secretary recognizes to be eligible for the special programs and services provided by the United States to Indians because of their status as Indians.
- (B) FREQUENCY OF PUBLICATION. - The list shall be published within 60 days of enactment of this Act, and annually or before every January 30 thereafter. (emphasis added).

Eliminating indigenous blood quantum as the criterion that has been used since 1961 to identify individuals who are eligible to obtain an identification seal pursuant to A.S. 45.95.010 et seq. and, in its place, substituting membership in a "recognized Alaska tribe" is apparently intended by the sponsor of SB No. 97 to be a response to a constitutional problem that may, or may not be one.

### The Possible Constitutional Problem

In 1783 the Treaty of Peace that ended the Revolutionary War demarked the Mississippi River as the western boundary of the United States. At that time, the land between the Mississippi River and the western boundaries of the thirteen original states was populated almost exclusively by tens of thousands of Native Americans. Those Native Americans were clustered into groups of various sizes and levels of political cohesion that provided for their material cultures through an economy that was based principally on hunting, fishing, and gathering.

The Indian Commerce Clause, Article I, Section 8, Clause 3, of the United States Constitution grants Congress the power "To regulate Commerce . . . with the Indian tribes". (emphasis added). In 1787 when the United States Constitution was drafted, the Congress had a political relationship with only a dozen of the multitude of Native American groups whose members occupied land within the boundaries of the United States.<sup>2</sup> For that reason, it is reasonable to assume that the drafters of the Indian Commerce Clause intended the term "Indian tribes" to mean "tribe" as the term is used in its ethnological, rather than in its political, sense.<sup>1</sup>

Consistent with that interpretation of the intent of the drafters of the Indian Commerce Clause embodied in the term "Indian tribes", shortly after the United States Constitution was ratified, Congress enacted statutes in which the term "Indian tribe" was used to mean "tribe" in its ethnological sense. When it was required to interpret the intent of Congress embodied in the word "tribe" in the

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<sup>2</sup>See Treaty with the Delawares, 7 Stat. 13 (1778); Treaty with the Six Nations, 7 Stat. 15 (1784); Treaty with the Wyandot, 7 Stat. 16 (1785); Treaty with the Cherokee, 7 Stat. 18 (1785); Treaty with the Choctaw, 7 Stat. 21 (1786); Treaty with the Shawnee, 7 Stat. 26 (1786).

<sup>1</sup>The Indian Law scholar Felix Cohen long ago observed that "[t]he term 'tribe' is commonly used in two senses, an ethnological sense and a political sense. It is important to distinguish between these two meanings of the term." FELIX S. COHEN, HANDBOOK OF FEDERAL INDIAN LAW 268 (1st ed. 1942).

Indian Nonintercourse Act of 1793, the United States Court of Appeals for the First Circuit acknowledged that historical fact regarding Congress's contemporaneous understanding of the meaning of the Indian Commerce Clause as follows:

While Congress'[s] power to regulate commerce with the Indian tribes includes authority to decide when and to what extent it shall recognize a particular Indian community as a dependent tribe under its guardianship, Congress is not prevented from legislating as to tribes generally; and this appears to be what it has done in successive versions of the Nonintercourse Act. There is nothing in the Act to suggest that "tribe" is to be read to exclude a bona fide tribe not otherwise federally recognized. (emphasis added).<sup>4</sup>

Article I, Section 8, Clause 18, of the United States Constitution grants Congress the power to enact statutes that it determines are "necessary and proper for carrying into Execution the [powers described earlier in section 8, including the power "To regulate Commerce . . . with the Indian Tribes]".

As a consequence, when it has determined that doing was necessary and proper, Congress has repeatedly exercised the legislative power that the Indian Commerce Clause confers by enacting statutes that create beneficiary classes of Native Americans whose membership is defined by the class members' ethnicity, i.e., by their or their ancestors' membership in an ethnological (as opposed to a federally recognized) tribe. And Congress has used blood quantum as evidence of membership in an ethnological tribe.

For example, in 1834 Congress enacted a statute (still codified at 25 U.S.C. 45) that requires the Bureau of Indian Affairs to afford "persons of Indian descent" a preference over other persons for employment as "interpreters or other persons employed for the benefit of the Indians". In 1894 Congress enacted a statute (still codified at 25 U.S.C. 44) that requires the Bureau to hire "Indians" as herders, teamsters, and laborers, as well as for other jobs. In 1921 Congress enacted the Snyder Act (still codified at 25 U.S.C.

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<sup>4</sup>Joint Tribal Council of the Passamaquoddy Tribe v. Morton, 528 F.2d 370, 377 (1st Cir. 1975).

<sup>4</sup> Stat. 737 (1834).

13),<sup>6</sup> which authorizes the Bureau to spend appropriated funds "for the benefit, care, and assistance of the Indians of the United States" without requiring a beneficiary "Indian" to be a member of a federally recognized tribe. And in 1934 Congress enacted the Indian Reorganization Act (IRA). Section 12 of the IRA (still codified at 25 U.S.C. 472),<sup>7</sup> authorizes the Bureau to afford "Indian" job applicants and employees a preference for Bureau employment without requiring those applicants and employees to comply with the requirements of the civil service laws with which non-Indian job applicants and employees are required to comply. And in section 19 of the IRA, Congress defined the term "Indian" to mean

All persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood. (emphasis added).

And most importantly insofar as the situation in Alaska is concerned, section 7 of the Alaska Native Claims Settlement (ANCSA),<sup>8</sup> which Congress enacted in 1971, directed regional corporations organized under the laws of the State of Alaska to issue shares of common stock only to "Natives" enrolled to the regions in which the corporations are located. And section 3(b) of ANCSA defined the term "Native" inter alia to mean "a citizen of the United States who is a person of one-fourth degree or more Alaska Indian, Eskimo, or Aleut blood, or combination thereof," again without requiring a "Native" to be a member of a federally recognized tribe.

Those and similar enactments are evidence that Congress believes that the equal protection prong of the Due Process Clause of the Fifth Amendment to the United States Constitution does not limit the authority that the Indian Commerce Clause and the Necessary and Proper Clause grant to Congress to enact statutes that create beneficiary classes of Native Americans without requiring an individual member of a beneficiary class to be a member of a federally recognized tribe and to use ethnicity, i.e., blood quantum,

<sup>6</sup>Pub. L. No. 67-85, 42 Stat. 208 (1921).

<sup>7</sup>Pub. L. No. 73-383, 48 Stat. 984 (1934).

<sup>8</sup>Pub. L. No. 92-203, 85 Stat. 688 (codified as amended at 43 U.S.C. 1601 et seq.).

as evidence of an individual's eligibility for class membership.

The Alaska Legislature's decision to direct the Alaska Commissioner of Commerce to, pursuant to section 6(1) of ch. 40 SLA, use Eskimo, Aleut, and Indian blood quantum as the criterion for determining the eligibility of a state resident to obtain an identification seal that certifies that a handicraft that the individual has made is an "authentic Native handicraft" is evidence that, in 1961, the Legislature believed that Article II, Section 1, of the Alaska Constitution empowers the Legislature to enact statutes that create beneficiary classes of Alaska Natives whose eligibility for class membership is governed by the degree of an individual's Eskimo, Aleut, or Indian blood quantum, as well as that the equal protection provisions in the Fourteenth Amendment to the United States Constitution and Article I, Section 1, of Alaska Constitution do not restrict the Legislature's exercise of that grant of legislative power.

Because that assumption may, or may not, be correct, before it considers whether to amend A.S. 45.65.010 et seq., either in the manner that SB No. 97 suggests or in any other manner, the Alaska Legislature may want to request the Attorney General to issue a formal opinion that provides guidance regarding the following questions:

1. Do the equal protection provisions of the Fourteenth Amendment to the United States Constitution and Article I, Section 1, of Alaska Constitution prohibit the Legislature from exercising the legislative power that Article II, Section 1, confers to enact statutes that create beneficiary classes whose criterion for class membership is Eskimo, Aleut, or Indian blood quantum?
2. If the answer to question no. 1 is yes, may the Legislature enact statutes that create beneficiary classes whose criterion for class membership is Eskimo, Aleut, or Indian blood quantum if Congress, exercising the power that the Indian Commerce Clause confers, enacts a statute that authorizes or directs the Legislature to do so (as Congress has done in such statutes as sections 3(b) and 7(g) of ANCSA)?

For the Alaska Legislature, assessing the constitutional situation, and then crafting an appropriate response, is complicated by two additional developments:

Department of Justice White Paper

In 1972 a group of non-Indian employees of the Bureau of Indian Affairs filed Mancari v. Morton, a lawsuit against the Secretary of the Interior in which they alleged that Congress violated rights that the equal protection prong of the Fifth Amendment to the United States Constitution (which prohibits Congress from engaging in "invidious racial discrimination") guaranteed to the plaintiffs when it enacted section 12 of the IRA, the provision that authorizes the Bureau to afford "Indians" a preference for Bureau employment and promotion without requiring them to comply with the requirements of the civil service laws with which non-Indian job applicants and Bureau employees are required to comply.

Rather than directly confronting that challenge to the power that the Indian Commerce Clause grants to Congress to enact statutes that create classes that benefit Native Americans, the Bureau of Indian Affairs issued a written internal agency "interpretation" of the intent of Congress embodied in section 12. In that interpretation the Bureau announced that to be an "Indian" eligible for the section 12 employment preference Congress intended an individual to demonstrate that he or she 1) had "one-fourth or more degree of Indian blood" and 2) was "a member of a federally-recognized tribe". The Bureau did so even though the text of section 12, quoted above, quite explicitly said no such thing.

In 1974 when the lawsuit reached the United States Supreme Court, in Morton v. Mancari<sup>9</sup> the Court relied on the Bureau's interpretation of the intent of Congress embodied in section 12 to avoid having to answer the constitutional question that the case presented for decision. The Court did so by announcing that the Bureau's interpretation demonstrated that "[t]he [employment] preference [in section 12], as applied [by the Bureau] is granted to Indians not as a discrete racial group, but rather, as members of quasi-sovereign tribal entities . . . ." (emphasis added).<sup>10</sup>

Embracing that pronouncement of the Court, for more than thirty years attorneys associated with the Native American sovereignty movement have argued that Morton v. Mancari holds that, notwithstanding the grant of power that the Indian Commerce Clause and the Necessary and Proper Clause confer, Congress has no authority to enact statutes that create beneficiary classes that use an individual's degree of indigenous blood quantum as the criterion for class membership, and that instead the criterion for class

<sup>9</sup>417 U.S. 535, 94 S.Ct. 2474, 41 L.Ed.2d 290 (1974).

<sup>10</sup>Id. at 554, 94 S.Ct. at 2474.

membership must be limited to an individual's membership in a "federally recognized tribe".

Then, to further confuse an already complex situation, in 2000 the United States Supreme Court decided Rice v. Cayetano.<sup>11</sup>

In that case, a provision of the Hawaiian Constitution limited the right to vote in elections for the trustees of a state agency to individuals who were "Hawaiians", a term the Hawaii Legislature had defined by statute to mean a

descendant of not less than one-half part of the races inhabiting the Hawaiian Islands previous to 1778, as defined by the Hawaiian Homes Commission Act of 1920, as amended; provided that the term identically refers to the descendants of such blood quantum of such aboriginal peoples which exercised sovereignty and subsisted in the Hawaiian Islands in 1778 and which peoples thereafter continued to reside in Hawaii.

In Rice v. Cayetano, the Court first held that "[a]ncestry can be a proxy for race", and that as used by the Hawaii Legislature as a criterion for membership in the class of individuals eligible to vote in trustee elections "[i]t is that proxy here".<sup>12</sup> The court then held that limiting class membership in that fashion violated the right to vote that the Fifteenth Amendment to the United States Constitution guarantees to citizens of the State of Hawaii who are not "Hawaiians" as the Hawaii Legislature had defined that term.<sup>13</sup>

For its own institutional reasons, in recent years the United States Department of Justice (DOJ) has embraced the constitutional theory that attorneys associated with the Native American sovereignty movement have advanced based on their reading of Morton v. Mancari. DOJ also has implied that the legal reasoning that underpins the holding in Rice v. Cayetano, a case that dealt with the right to vote and with the Fifteenth Amendment, should be applied in cases that implicate the tension that exists between the Indian

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<sup>11</sup>528 U.S. 495, 120 S.Ct. 1044, 145 L.Ed.2d 1007 (2000).

<sup>12</sup>Id. at 514, 120 S.Ct. at 1055.

<sup>13</sup>Id. at 524, 120 S.Ct. at 1060. Section 1 of the Fifteenth Amendment, which, unlike the Fourteenth Amendment, deals exclusively with the right to vote in federal and state elections, states: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. (emphasis added).

Commerce Clause and the Fifth Amendment. DOJ did so most recently in 2006 when the 109th Congress considered S. 1057, 109th Cong. (2005), a bill whose enactment would have amended the Indian Health Care Improvement Act.

S. 1057 inter alia created several beneficiary classes of individuals eligible to receive health services whose class membership was based on the individuals' status as Native Americans (including Alaska Natives), rather than on their status as members of "federally recognized tribes". Specifically, section 4(12) of the amendment in the nature of a substitute for the original text of S. 1057 that the Senate Committee on Indian Affairs reported defined the term "Indian" to mean

any person who is a member of an Indian Tribe or is eligible for health services under section 806, except that, for the purpose of sections 102 And 103, the term also means any individual who--

- (A)(i) irrespective of whether the individual lives on or near a reservation, is a member of a tribe, band, or other organized group of Indians, including those tribes, bands, or groups terminated since 1940 and those recognized now or in the future by the State in which they reside; or
- (ii) is a descendant, in the first or second degree, of any such member;
- (B) is an Eskimo or Aleut or other Alaska Native;
- (C) is considered by the Secretary of the Interior to be an Indian for any purpose; or
- (D) is determined to be an Indian under Regulations promulgated by the Secretary.  
(emphasis added).

In response to S. 1057, DOJ circulated on Capitol Hill an unsigned and undated document entitled "Department of Justice White Paper". In pertinent part, the white paper informed Congress that, in DOJ's view,

Under the Supreme Court's decisions in [Morton v. Mancari, Adarand Constructors, Inc. v. Pena], and Rice [v. Cayetano], legislation providing special benefits to Indian individuals who do not have a clear and close affiliation with a federally recognized tribe likely would be regarded as a racial classification subject to

strict constitutional scrutiny, rather than as a political classification. It, therefore, would be necessary to show that any such use of race-based criteria to award the governmental benefits provided for in the statute is "narrowly tailored" to serve a "compelling" governmental interest.

The definition in [S. 1057] of "Urban Indian" and "Indian" (as defined in section 4(12) for limited purposes) sweeps more broadly than members of federally recognized tribes, providing for benefits to non-member adult descendants of tribal members (or to Alaska Natives who are not members of a recognized Alaska Native village). These broad definitions present significant risk that a court would find the legislation subject to strict scrutiny and, in the absence of factual findings demonstrating that the definitions are narrowly tailored to support such a compelling governmental interest with respect to the program authorized, would find this statute unconstitutional.<sup>14</sup>

If DOJ's constitutional analysis is correct, then not only does the Indian Commerce Clause not grant Congress the power to enact a statute that authorizes the Alaska Legislature to enact statutes that create beneficiary classes whose criterion for class membership is Eskimo, Aleut, or Indian blood quantum, but federal statutes such as ANCSA may be unconstitutional.

#### Alaska Native Sovereignty Movement

When it crafts a response to the constitutional uncertainty that this analysis of A.S. 45.65.010 et seq. and SB No. 97 describes, the Alaska Legislature should be attentive to the fact that that response can affect the outcome of the unresolved legal dispute regarding whether Congress - or the Secretary of the Interior acting lawfully pursuant to authority that Congress by statute has delegated to the Secretary - has created more than 200 "federally recognized tribes" in Alaska whose governing bodies possess governmental authority and sovereign immunity.

The resolution of that legal dispute either by Congress or by the United States Supreme Court may have significant policy consequences for the ability of the Alaska

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<sup>14</sup>Department of Justice White Paper (2006), at 3.

Legislature to continue to assert the criminal, civil, and regulatory jurisdiction that it has asserted since statehood at all locations in Alaska and over all residents of Alaska, both Native and non-Native.

A description of the range of those policy consequences in areas such as child protection, regulation of gaming, etc., is beyond the scope of this memorandum. But what can be said here is that a principal argument made in support of the contention that there are more than 200 "federally recognized tribes" in Alaska is that 1) in 1993 then Assistant Secretary of the Interior Ada Deer created such tribes by unilateral administrative action (i.e., by publishing a list of Alaska Native entities in the Federal Register), and 2) if arguendo Assistant Secretary Deer's action was ultra vires, Congress intended its enactment in 1994 of the Federally Recognized Indian Tribe List Act to ratify the result that Assistant Secretary Deer had tried, albeit unlawfully, to achieve. In 1999 in its John v. Baker decision,<sup>15</sup> the Alaska Supreme Court accepted that argument.<sup>16</sup> However, while the Alaska Supreme Court may express its view regarding that federal question, the United States Supreme Court is the only court that can decide the question definitively.

Its enactment of SB No. 97 may inadvertently entangle the Alaska Legislature in that legal dispute because section 13 of the bill defines the term "recognized Indian tribe" by referencing 25 U.S.C. 479a-1, which is a section of FRITLA. To eliminate that possibility, if the Legislature determines that it is appropriate to amend A.S. 45.66.070 to eliminate indigenous blood quantum as the criterion for membership in the class of individuals eligible to obtain an identification seal, it may want to consider the following amendments to SB No. 97:

Amendment No. 1

Page 4, line 14: strike "a recognized", and insert in lieu thereof "an".

Amendment No. 2

Page 5, strike lines 4 through 13, and insert in lieu

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<sup>15</sup>982 P.2d 738 (Alaska 1999).

<sup>16</sup>See id. 730 (Alaska Supreme Court holding that "[t]hrough the 1993 tribal list and the 1994 [Federally Recognized Indian] Tribe List Act, the federal government has recognized the historical tribal status of Alaska Native villages . . . In deference to that determination, we also recognize such villages as sovereign entities").

thereof:

"(10) 'Alaska tribe' means an organized group or community that is an "Indian tribe" for the purpose of section 4(e) of the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450b(e)."

That definition makes clear that the reference to "Alaska tribes" in A.S. 45.65.70 is a reference to Congress's designation of groups of Alaska Natives as "Indian tribes" for the purposes of the Indian Self-Determination and Education Assistance Act, rather than for the purposes of 25 U.S.C. 479a-1.

While the difference between the FRITLA and the Indian Self-Determination Act "Indian tribe" definitions may seem esoteric, the difference is important because in the Indian Self-Determination Act Congress has designated groups of Alaska Natives as "Indian tribes" exclusively for the singular, and quite appropriate, purpose of recognizing that the members of those groups are "eligible for the special programs and services provided by the United States to Indians because of their status as Indians," and, by inference, not for any other purpose, including creating "federally recognized tribes" whose governing bodies possess sovereign immunity and governmental authority. As described above, the legal consequences that Congress intended the FRITLA "Indian tribe" definition (codified at 25 U.S.C. 479a-1) to effectuate arguably are considerably more ambiguous.

Finally, it should be noted that the Alaska Legislature's acceptance of the "Alaska tribe" definition proposed in Amendment No. 2 eliminates the idea that the Alaska Legislature - rather than Congress or the Secretary of the Interior acting lawfully pursuant to authority that has been delegated by Congress - should, as a matter of policy, designate particular groups of state citizens as "tribes".

# STATE OF ALASKA

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

SARAH PALIN, GOVERNOR

*Commercial and Fair Business Section*  
P.O. BOX 110300  
DIMOND COURT HOUSE, 5<sup>TH</sup> FLOOR  
JUNEAU, ALASKA 99811-0300  
PHONE (907) 465-3600  
FAX (907) 465-2539

February 27, 2008

Honorable Gary Stevens  
Alaska Senate  
State Capitol, Rm. 103  
Juneau, Alaska 99801

Re: Whether CSSB 97(JUD) would have an impact on the governmental relationships of the State of Alaska and Alaska Native village organizations or tribes.

Dear Senator Stevens:

You ask what impact the passage of CSSB 97(JUD) would have on the governmental relationships between the State and Alaska Native village organizations or tribes. Since CSSB 97(JUD) is essentially neutral on the subject, a court asked to interpret the question would be unlikely to find that passage of the bill impacts these relationships.

SB 97 would make changes to the Silver Hand Program, which authorizes Alaska Native artists to affix a silver hand identification seal to their art pieces. The seal gives assurance to purchasers that they are buying a piece of authentic Native art made in Alaska. Currently only Alaska residents with at least one-quarter Eskimo, Aleut, or Indian blood may participate in the program. CSSB 97(JUD) would drop the blood quantum requirement and allow individuals who are members of an Alaska tribe to participate in the program. The bill defines "Alaska tribe" as "an organized group or community in Alaska that is an Indian tribe." "Indian tribe" is given the meaning for the term provided by 25 U.S.C. 450b, which is the definition section of the Indian Self-Determination and Education Assistance Act (Self Determination Act).

The term, "Indian tribe" is defined by the Self Determination Act to mean:

"...any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act ... which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. (25 USC 450b(e)).

Re: Whether CSSB 97(JUD) would have a substantial impact on the governmental relationship of the State of Alaska and Alaska Native village organizations or tribes

While this definition may include federally recognized tribes in Alaska, it also includes for profit corporations such as Sealaska Corporation that are formed under the Alaska Native Claims Settlement Act (ANCSA). *Cook Inlet Native Ass'n v. Bowen*, 810 F.2d 1471 (9<sup>th</sup> Cir. 1987). ANCSA corporations are not considered federally recognized tribes. *Cape Fox Corporation v. United States*, 456 F.Supp 784 (D. Alaska 1984), *aff'd in part and rev'd in part on other grounds* 646 F2d 399 (9<sup>th</sup> Cir. 1981). ANCSA regional corporations and ANCSA village corporations are not included on the list of "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs" published annually by the Department of the Interior. Therefore, Alaska Native organizations not on the BIA list may not use the fact that they are included in the definition of "Indian tribe" for purposes of the Self Determination Act to establish that they are federally recognized tribes.

In addition only Congress and the federal executive branch have the authority to recognize entities as tribes. *John v. Baker*, 982 P.2d 738, 749 (Alaska 1999). In *John v. Baker* the Alaska Supreme Court held that if Congress or the federal executive branch recognizes a group of Native Americans as a sovereign tribe, the court must do the same. The actions of a state legislature can not enhance or diminish the chances that a particular entity will be recognized as a tribe. Therefore passage of CSSB 97(JUD) should not advance the efforts of an Alaska Native entity wishing to obtain tribal recognition.

We hope this answers your question.

Sincerely,

TALIS J. COLBERG  
ATTORNEY GENERAL

By:

For:

Dan N. Branch

Assistant Attorney General

DNB:jmc

CC: Honorable Lyman Hoffman  
Alaska Senate

Russ Kelly  
Legislative Director, Office of the Governor

Michael Ford  
Legislative Contact, Department of Law

Saunders McNeil  
Executive Director, Alaska Arts Council

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 26, 2007

**SUBJECT:** SB 97 and equal protection issue

**FROM:** Theresa Bannister  
Legislative Counsel

You have asked me to identify constitutional problems present in the bill described above.

Equal protection. Because under the bill the person who makes the article entitled to a seal must belong to a recognized Alaska tribe, there is an equal protection issue present in the bill.

If I may be of further assistance, please advise.

TLB:ljw  
07-158.ljw

# SILVER HAND - SB 97



This symbol is your guarantee that this is a genuine article made in Alaska handcrafted and finished by an Alaska Native artist or craftsman

Artist \_\_\_\_\_

Origin \_\_\_\_\_

Permit No. \_\_\_\_\_



The integrity of the Silver Hand Program depends on the permit holders using the tags and labels in accordance with AS 45.65.010-45.65.070 and 3AAC 58.005-.900.

Unlawful use of the Silver Hand identification should be reported to ASCA immediately.

#### **DEFINITIONS**

**"Authentic Native handicraft"**: an article made in the state, which is composed wholly, or in significant part, of natural materials, and which is produced, decorated or fashioned by an Alaska Native.

**"Native"**: a resident having not less than one-quarter Eskimo, Aleut, or Indian blood. (American Indians whose tribes are indigenous to other states are not eligible for this program.)

**"Natural material"**: material produced or existing in nature, not artificial or manufactured, and derived from lands, plants, animals or other natural resources.

**"State resident"** (AS43.23.095) means an individual who is physically present in the state with the intent to remain indefinitely in the state under the requirements of AS 1.10.055.

#### **PENALTIES FOR MISUSE OF THE SILVER HAND IDENTIFICATION LABEL OR PERMIT**

##### **Sec. 45.65.060.**

- (a) A person who knowingly or willfully issues the document for or affixes or attaches the identification label provided for in this chapter to an article, knowing that it is not an authentic Native handicraft, is guilty of a class B misdemeanor.
- (b) A person who knowingly or willfully sells or offers for sale an article with the label affixed or attached, knowing that it is not an authentic Native handicraft, is guilty of a class B misdemeanor.
- (c) A person who knowingly or willfully alters, changes, or counterfeits an identification label or emblem, is guilty of a class B misdemeanor.
- (d) A person who has been issued a permit under AS 45.65.030(a) is guilty of a class B misdemeanor if the person knowingly or willfully issues a permit for an article that is not an authentic Alaska Native Handicraft.

#### **REVOCAION AND DEBARMENT**

##### **Sec. 3 AAC 58.075**

- (a) The permit of a person authorized to use the Silver Hand label or the Made in Alaska emblem or to act as an agent for either the Silver Hand or the Made in Alaska program who is convicted of an offense under AS 45.65.060 is automatically revoked on the date of the conviction.
- (b) Any person who is convicted of an offense under AS 45.65.060 is barred from any further participation in either the Silver Hand or the Made in Alaska program.
- (c) After notice and opportunity for hearing, the Council will, in the Council's discretion, revoke a permit for failure to comply with the requirements of AS 45.65.010 – 45.65.070 including the payment of fees, and this chapter.

#### **TO DOWNLOAD AN APPLICATION**

Go to the ASCA website [www.eed.state.ak.us](http://www.eed.state.ak.us) to download and application to fill out by hand.

#### **FOR MORE INFORMATION**

Please direct questions concerning the Silver Hand Permit Program to ASCA. Alaskan artists may also be eligible for the Made in Alaska Program. For more information on Made in Alaska call 907/272-5634.

# SILVER HAND PERMIT APPLICATION



ALASKA STATE COUNCIL ON THE ARTS  
411 West 4<sup>th</sup> Avenue, Suite 1E  
Anchorage, Alaska 99501-2343  
Tel: (907)269-6610  
Fax: (907)269-6601  
Toll Free in Alaska: 1-888-278-7424  
TTY: 1-800-770-8973  
Email: [aksca\\_info@eed.state.ak.us](mailto:aksca_info@eed.state.ak.us)  
Website: [www.eed.state.ak.us/aksca](http://www.eed.state.ak.us/aksca)

New Application     Renewal Application

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Type of Handicraft Produced: \_\_\_\_\_  
\_\_\_\_\_

I, the undersigned, hereby certify that I am an Alaska Native, am a resident of the state, am 18 years or older, and I will affix the Silver Hand label only on a handicraft that was or will be made: entirely by me; wholly or in significant part of natural materials; and within the state of Alaska. I have read and agree to abide by the Silver Hand Program information present in this permit application.

Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

I am 18 years or older

I am currently a permanent resident of Alaska

I have attached the required documentation  
(copy of CIB card or proof of 1/4 Alaskan Native)

\$20 handling charge (Check or Money Order only)

Copy of a current photo id

Return completed application with the above listed support documentation and \$20 to ASCA.

**FOR OFFICIAL ASCA USE ONLY**

Approved by \_\_\_\_\_

Date: \_\_\_\_\_

Permit #: \_\_\_\_\_

Silver Hand Tags & Labels received \_\_\_\_\_

Labels: \_\_\_\_\_ Hang tags: \_\_\_\_\_ Initials: \_\_\_\_\_

Amount rec'd: \_\_\_\_\_ Check number: \_\_\_\_\_

**THE SILVER HAND PERMIT PROGRAM**

The Alaska State Council on the Arts (ASCA) administers the Silver Hand Permit Program. The purpose of the program is to provide a guarantee to a consumer that an article on which the Silver Hand identification appears has been hand crafted in Alaska by an Alaska Eskimo, Aleut, or Indian craftsperson or artist and made wholly or in significant part of natural materials.

An Alaska Native person who makes an authentic handicraft article in the state may obtain Silver Hand tags or labels to identify the article. ASCA provides identification labels for authentic Alaska Native handicraft to individual applicants. The label features a silver hand and the words, "Authentic Native Handicraft from Alaska". The Silver Hand tags or labels may only be affixed to authentic Alaska Native handicrafts made by that individual while residing in the state.

The Silver Hand Permit holders are public record.

The Silver Hand Agent portion of the program has been permanently suspended.

**THE SILVER HAND PERMIT PROCESS**

A complete application, support documents and a \$20 handling charge must be submitted to ASCA to receive a permit to use the Silver Hand identification label on a handicraft. The Council will review applications for eligibility within 30 days from the date of receipt of a completed application. If the applicant is eligible, a non-transferable permit and Silver Hand tags and/or labels will be issued. The permit is valid for two years from the date the permit is issued and may be renewed by submitting a completed permit renewal application within 30 days of the end of the two-year period. If the applicant is ineligible the handling charge and support documents will be returned immediately.

**REQUIREMENTS**

A permit to use Silver Hand identification will be issued to an Alaska Native who:

- (1) Applies to the Alaska State Council on the Arts;
- (2) Documents that the applicant is an Alaska Native with a blood quantum of 1/4 or greater; documentation proving eligibility includes:

(A) United States Department of Interior, Bureau of Indian Affairs "Certificate of Indian Blood";

(B) An official letter from a village or regional corporation established under 43 U.S.C. 1606-43 U.S.C. 1607 (Alaska Native Claims Settlement act of 1971, sec. 7 & 8); or

(C) an official letter from a village council or tribe in which the applicant is a member;

(3) Certifies on the application that the applicant will affix the Silver Hand identification only on a handicraft that was or will be made:

(A) entirely by the applicant;

(B) within this state; and

(C) in whole or in significant part of natural materials.

(4) Copy of photo identification, i.e. State Drivers license, State identification card

(5) Is 18 years of age or older

(6) Is a full time resident of the state

**UTILIZING SILVER HAND IDENTIFICATION**

A permit holder may use the representation of the Silver Hand identification on catalogs, letterhead, business cards, in-store and other advertising, and for other similar purposes related to the permit holder's handicrafts. The permit holder may use a representative of the Silver Hand symbol only in advertising of that permit holder's handicrafts.

The Silver Hand symbol or a representation of that symbol may not be:

(A) used in a manner that is false or misleading.

(B) Modified

(C) incorporated into a business, company, or product logo or label.

(D) sold as art or as a dominant feature of a handicraft unless approved by the ASCA Chair in writing.

A permit holder may obtain 150 Silver Hand labels/tags annually from ASCA at no cost. Additional labels/tags may be purchased at ten cents per label or fifteen cents per tag. Contact ASCA for further information.

To request your free supply of Silver Hand labels/tags for the second year, submit a written request to the Alaska State Council on the Arts for the quantity of tags or labels needed. The request must be signed by the permit holder.



*Celebrating 40 years of support for the arts in Alaska*

Senator Johnny Ellis, Chair  
Alaska State Senate  
Chair, Senate Labor and Commerce Committee  
Sent via email

March 7, 2007

Dear Senator Ellis and members of the committee:

The Alaska State Council on the Arts (ASCA) would like to lend our support to the passage of SB 97, relating to the Silver Hand Program.

This statute revision will strengthen the relationship between our agency and the Alaska Native artists we serve in many respects. One of the primary tenets of the Silver Hand program is the mark of authenticity for the over 1400 artists that our program represents, and for the thousands of visitors to our state who purchase this work every year.

A major study conducted of Alaska Native Artists last year under the auspices of the Ford Foundation found that almost 90% of the artists surveyed felt that the counterfeit native art market in the state is an enormous problem. While ASCA can't prohibit the sale of native art knock-offs, we certainly can strength our own resident's ability to sell work through our Silver Hand program, and inform the buying public about our program.

Another revision will incorporate the expansion of allowable materials that Native Artists can use in their work and still be in our program. Currently, only natural materials can be used, which means that many of our most well known contemporary Native artists are not eligible for the Silver Hand program. This revision will correct that problem.

The economic impact of the arts in Alaska is certainly worth mentioning. In 2001, the MacDowell Group did a survey of Alaska Arts and Crafts Industry – all sectors – and found that over 4,500 Alaskans earned income from arts-related activity, and in 2001, Alaska artists earned an estimated \$20 million. Total direct employment in the creative industry was approximately \$40 million in annual income, including profit and non profit sectors.

Although the consumer numbers are not conclusive, the same survey cited above indicated that 30% of Alaskans who purchased art in 2001, bought only Alaska Native work, and 56% of those consumers said they looked for the Silver Hand symbol when

buying Native art. As ASCA increases our publicity efforts and consumer education programs, we hope that this number grows.

ASCA is currently working closely with the Federal Trade Commission and the tourist industry to ensure that visitors to our state are aware of the importance of buying authentic Alaska Native art.

The revision of this statute and the strengthening of our policies will have impact in two major ways:

- 1) On the consumer side, to strengthen the education and enforcement efforts so that visitors and residents alike buy authentic Alaska Native art by increasing civil penalties;
- 2) On the artist side, to provide Alaska Native artists with more economic opportunities by shifting our emphasis to authenticating the artist and expanding the allowable art materials.

I appreciate your committee taking the time to review this legislation that is vital to our agency and to our Alaska Native artist population.

Sincerely,

Charlotte A. Fox  
Executive Director

ALASKA FEDERATION OF NATIVES

2007 ANNUAL CONVENTION

RESOLUTION 07-35

**TITLE:** PROTECTING AND PROMOTING ALASKA NATIVE ARTISTS AND THEIR CREATIVE WORK BY UPDATING THE STATE STATUTES GOVERNING THE SILVER HAND PERMIT PROGRAM

**WHEREAS:** The Silver Hand Permit Program is the State of Alaska's sanctioned Alaska Native Arts authentication program and has been administered by the Alaska State Council on the Arts, a division of the State Department of Education & Early Development, since 1998 upon the recommendation of a Governor-appointed Alaska Native review committee; and

**WHEREAS:** The Silver Hand Permit Program currently serves more than 1,500 permit holders, who collectively represent 151 Alaska Native villages and Alaska's three largest cities, Anchorage, Fairbanks, and Juneau, and which anticipates a steady increase in eligible applicants in the future; and

**WHEREAS:** The Silver Hand Permit Program supports the integrity and integration of the subsistence lifestyle, cultural well-being, sustainability of village residency and socioeconomic potential for Alaska Native artists and their families by helping Alaska Native artists earn crucial cash income from artwork that can be produced without having to leave their villages; and

**WHEREAS:** The Silver Hand identification seal is recognized and promoted by the majority of large and small tourism companies, statewide retailers, state agencies and contractors as the primary means for consumers to identify and therefore purchase authentic Alaska Native artwork produced by and in Alaska Native artists residing in Alaska; and

**WHEREAS:** The use of the Silver Hand identification seal results in a proven marketing advantage and provides needed economic benefits to Alaska Native artists through increased sales and optimum sale prices in comparison to items not authenticated with the Silver Hand identification seal; and

**WHEREAS:** The statutes governing the Silver Hand Permit Program have remained unchanged since the early 1970s and now needs to be updated to respond to dramatic changes in the creative pursuits and expression of Alaska Native artists and the expansion of consumer and tourism markets; and,

**WHEREAS:** AFN has made a prior commitment to "protect the market price of Alaska Native artwork and prevent imitation and duplication of Alaska Native creative endeavors" through the convention passage of Resolution No. 95-57 in 1995; and

**WHEREAS:** The AFN Board of Directors meeting held on February 12 & 13, 1996 established policy guidelines "with respect to the arts and crafts sales during the annual convention of the corporation" required that for, "articles that are being sold, the following identification must be evident on the article, or attached to it: 1. A Certified Silver Hand tag identifying the article as made by an Alaska Native;" and

WHEREAS: Senate Bill 97 and House Bill 161 before the 25<sup>th</sup> Alaska Legislature would enact amendments to the statute governing the Silver Hand Permit Program. The Alaska Federation of Natives supports the following amendments to the Program:

1. Expand enforcement capability by adding civil penalties for misuse of the identification seal;
2. Expand allowable materials and art disciplines to include contemporary Alaska Native artists and contemporary art materials;
3. Expand definitions of eligible visual art media to help permit holders and consumers;
4. Replace *craft* reference with *art* reference to be more inclusive of all art types;
5. To be eligible for the program, we support a requirement of proof that the individual is 1) an Alaska Native and an enrolled member of an Alaska Native tribe; or, 2) an enrolled member of Alaska Native Corporation;
6. Award permits directly to individual artists only and eliminate the unused "agent" portion of the program (already suspended by Council policy);

directly result in a Silver Hand Permit Program improvements benefiting Alaska Native artists and Alaska Native tribal members.

NOW THEREFORE BE IT RESOLVED by the Delegates to the 2007 Annual Convention of the Alaska Federation of Natives, Inc., that AFN requests the State of Alaska Legislature Senate and House to pass and enact the legislative described above to make every legally binding effort to protect and promote Alaska Native artists and their creative work on the open market.

SUBMITTED BY: THE EYAK CORPORATION

COMMITTEE ACTION: DO PASS, TIER 2

CONVENTION ACTION: PASSED



**COMMENTS ON SENATE BILL NO. 97**

May 8, 2007



Attn: Representative Mark Neuman  
Chair of House Committee on Economic Development  
and Tourism

Dear Mr. Neuman,

On behalf of the Central Council of Tlingit & Haida Indian Tribes of Alaska (CCTHITA) and our 26,000 members, we are submitting the following comments on the SENATE BILL NO. 97, "An Act relating to the identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices."

We feel compelled to comment on the SB97 as it directly impacts our families in their efforts to achieve economic independence and self-sufficiency. The very nature of the Silver Hand Program goes to the heart of the preservation of Native Alaskan culture and heritage. Safeguarding the culture from crass commercialism and ensuring the perpetuation of native communities through quality economic development of that culture should be the highest goal of any legislation in this regard. This can only be achieved through legitimate, extended, and open discussions with the Native Alaskan communities.

We are of the opinion that affording the opportunity to comment or participate in legislative hearings concerning the proposed measure to all Native Alaskans that wish to do so is absolutely important and necessary. Therefore, we request that any action in regards to the SENATE BILL NO.97 is to be postponed until the next session, and that all Native Alaskans, especially those that are currently enrolled in the Silver Hand Program, are given a fair chance to voice their concerns and opinions in regards to the proposed law.

Please feel free to call on us if there is anything we can do to support your efforts as you address our concerns.

President William E. Martin  
Central Council of Tlingit & Haida Indian Tribes of Alaska

###

CCTHITA Contact:  
Andrei Chakine, Manager ([achakine@ccthita.org](mailto:achakine@ccthita.org))  
Stephen Wade, Economic Development Specialist ([swade@ccthita.org](mailto:swade@ccthita.org))  
Business & Economic Development Department  
9097 Glacier Highway  
Juneau, AK 99801  
Ph: (907) 463-7121  
Fax: (907) 463-7356

C



# Alutiiq Museum and Archaeological Repository

215 Mission Road, Suite 101, Kodiak, Alaska 99615  
(907) 486-7004 Fax: (907) 486-7048 [www.alutiiqmuseum.com](http://www.alutiiqmuseum.com)

Senator Gary Stevens  
Legislative Session Contact  
State Capitol, Room 103  
Juneau, AK 99801-1182

February 27, 2007

Dear Senator Gary Stevens,

I am writing to express my sincere support for SB97. This proposed draft statutes reflects an exhaustive survey, many discussions, and testimony's by Alaska Native artists about their needs in supporting and protecting Alaskan Native arts. SB97 language represents years of primary stakeholder feedback in the only state endorsed Alaska Native arts authentication program, the Silver Hand. With no cost to the state, SB97 accomplishes many critical objectives in serving a statewide constituency.

This bill establishes a relationship between Silver Hand permit holders and the Alaska State Council on the Arts, the program's administering state agency. The bill links the Silver Hand permit program to State of Alaska consumer protection and fair trade law. It also helps to strengthen agency enforcement capability's and clarifies consumer and permit holder protections. SB97 expands economic and creative opportunities for artists by including contemporary Alaska Native artists as important constituents served by the permit program. The bill allows Alaska Native artists to use all material deemed important in the creation of their art and clarifies eligible visual art mediums.

SB97 also enables Federally recognized Alaska Native Tribes to identify eligible permit holders. SB97 aligns with Federal language established in the Indian Arts and Crafts Act of 1990. SB97 empowers the state to promote and protect Silver Hand permit holders who's work represents a very significant, yet quiet, contribution to statewide commerce.

I want to thank you for updating the statutes with SB97. While this may seem like a very small act it will help the Alaska State Council on the Arts support and protect Alaska Native Artists artwork.

Quyanaasinaq, "thank you very much"

Sven Haakanson Jr., Ph.D.  
Executive Director  
Alutiiq Museum

Perry R Eaton  
12000 Shenandoah Road  
Anchorage Alaska 99516  
(907) 345- 0281

Senator Gary Stevens  
State Capitol, Room 103  
Juneau, Alaska 99801  
Bv fax: (9097) 465-3517

March 1, 2007

Dear Senator Stevens,

Gary, this is just a short note to let you know that I am 110% in support of SB97; the "modernization" of the Silver Hand program. What you have in front of you is the result of very diligent and solid work on the part of the Alaska State Council on the Arts in collaboration with the states Native artists. The revisions bring to the program the opportunity to be much more effective and responsive to the needs of today's Native artist, while adding no financial burden to the state.

Of all the changes proposed, I am particularly pleased with the fact that the Federally Recognized Tribes identify the eligible participants. This eliminates any specter of paternalism, removes a large administrative burden from staff, and builds on synergistic activities of other Federal and State programs and organizations.

All in all, it's a great piece of work and I strongly encourage your support to move the bill.

Perry R Eaton

110 Nicholoff Way  
P.O. Box 322  
Cordova Alaska 99574



ph 907.424.7903 fax 907.424.3018

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*Museum and Gift Gallery of the Prince William Sound, Copper River Delta and Gulf of Alaska Natives*

Senator Gary Stevens  
Legislative Session Contact:  
State Capitol, Room 103  
Juneau, AK 99801-1182  
907-465-4925  
fax: 907-465-3517

March 2, 2007

Dear Senator Gary Stevens,

As Director of a federally recognized tribe's Cultural Center, I would like to express my support for SB97. This is a much needed update to the respected Silver Hand program.

Our cultural center's mission is to preserve our heritage through teaching and exhibiting traditional art and skills. We accomplish this through traditional art and skills classes and the gift shop which provides a sales venue for quality produced pieces. The silver hand program has been valuable to us as authentication of our tribal artists and to help us identify the work of other native artists throughout the state. We are very aware of the confusion deceptive marketing and sales practices can create around Native-made arts and crafts and support every effort to protect authentic Alaska native art.

As a member of the Museums Alaska board of directors, I have been aware of the statewide need for revisions and some of the tremendous amount of work that has gone into these recommendations for revision through SB97. I strongly urge you to see this bill through.

*Quana (Thank you!)*

LaRue Barnes  
Director Ilanka Cultural Center

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From: gary murphy [eskimogary@hotmail.com]  
Sent: Friday, March 02, 2007 7:34 PM  
To: Sen. Gary Stevens  
Subject: Support Bill SB97

Senator Stevens, Please support Bill 197 . I am a Alaskan Native artist and fully support bill SB97. Sincerely Yours Gary R. Murphy

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Senator Gary Stevens  
State Capitol, Room 103  
Juneau, AK 99801-1182

March 5, 2007

Dear Senator Stevens,

I am writing in support of Senate Bill SB97 that would introduce modernizations to the Silver Hand Program and which represents a thorough analysis and synthesis of needs voiced by Alaska Native artists and the expertise of Alaska State Council on the Arts. The comprehensive and collaborative nature of the revisions ensures that proposed changes will increase the both the effectiveness of the Program and the degree to which it serves Alaska Native artists. At the same time, the revisions, particularly the strengthened enforcement of the Program, will improve the economic welfare of the artist and their families, while improving their economic contribution to the state.

Sincerely,

Dawn Biddison  
Assistant Curator  
Smithsonian Arctic Studies Center  
Alaska Regional Office  
121 W. 7th Ave.  
Anchorage, AK 99501  
Tel: 907-343-6131  
Fax: 907-343-6130  
biddisondd@ci.anchorage.ak.us

ARCTIC STUDIES CENTER  
Department of Anthropology  
10<sup>th</sup> and Constitution N.W.  
Washington DC 20560-0112  
(202) 357-2682 Telephone  
(202) 357-2684 Fax



Smithsonian  
National Museum of Natural History

ARCTIC STUDIES CENTER  
at the Rasmuson Center  
121 W. 7<sup>th</sup> Ave.  
Anchorage, AK 99501  
(907) 343-6131 Telephone  
(907) 343-6130 Fax

S

# NORTH SLOPE BOROUGH PLANNING DEPARTMENT

Inupiat Heritage Center  
5421 North Star Street  
PO Box 69  
(907) 852-0422  
(907) 852-4224 Fax  
(907) 852-4594



March 5, 2007

Senator Gary Stevens  
State Capitol, Room 103  
Juneau, Alaska 99801

Dear Senator Stevens:

I am writing to express my support for SB97, a bill which links the Silver Hand permit program to the State of Alaska consumer protection and fair trade law.

Passage of this bill is extremely important as it will help strengthen agency enforcement capability and clarify consumer and permit holder protection. This bill will also help expand economic and creative opportunities for Alaska Native artists. Most importantly SB97 will help align with Federal language established in the Indian Arts and Crafts Act of 1990 and empower the state to promote and protect Silver hand permit holders.

Alaska Natives contribute significantly to statewide commerce and I strongly encourage your support to move the bill. Quyanaq.

Sincerely,

Dorcas Stein, Coordinator  
Inupiat Heritage Center

cc: Commissioners, Inupiat History, Language and Culture, North Slope Borough

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**From:** Sen. Gary Stevens  
**Sent:** Wednesday, March 07, 2007 9:10 AM  
**To:** Tim Lamkin  
**Subject:** FW: SB97 Silver Hand retooling

-----Original Message-----

From: Teri Rofkar [mailto:ravenart@gci.net]  
Sent: Tuesday, March 06, 2007 9:51 PM  
To: Sen. Gary Stevens; Saunders McNeill; Charlotte Fox  
Subject: SB97 Silver Hand retooling

Hello Gary Stevens,

Thank you for sponsoring this bill to retool the Silver Hand program. As a full time Native Artist, I am delighted to see some updated laws to fuel an economic opportunity throughout the state of Alaska. Money earned through the Native Arts most of the time contributes to a healthier financial profile for small villages, as well as the larger tourist hubs. I sat on the ASAC task force, and we are intentionally moving away from authenticating the art, which is vague and hard to enforce... while we move toward authenticating the Artists, by using existing protocols.

Streamlining the authentication process will help as we work towards tackling the big problem of counterfeit native art. A bill like this will bring us in line with Federal Laws. A recent article in AARP said that "up to half of the Native Crafts (sold in the US) are counterfeit" stated Jill Moran, of the US Dept. of the Interior Indian Arts and Crafts Board... This problem is a national issue, and Alaskans, because of our self sufficient and CAN DO attitude are a front runner in finding creative solutions. The Silver Hand program is part of that solution.

Thank you again for taking the first step.

Gunalcheesh, Ho, Ho,

Teri Rofkar  
820 Charles St.  
Sitka, AK 99835

March 6, 2007

Senator Gary Stevens  
Legislative Session Contact:  
State Capitol, Room 103  
Juneau, AK 99801-1182  
907-465-4925  
fax: 907-465-3517

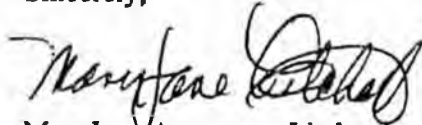
Dear Senator Gary Stevens,

The Bering Strait Inuit Council (BSIC) is highly supportive of SB97, which would help modernize the Silver Hand Program. Our small group supports regional artists in the Northwest Territory of Alaska for the survival of unique art forms to continue for future generations. BSIC has members who are federally recognized as indigenous groups. Silver Hand Members include Siberian Yupik, Yupik and Inupiaq artists from our region.

Our regional indigenous artists depend on this program to prove the authenticity of their handmade products. We desperately need to be protected from unauthorized imitations of our style of art. Our art helps to connect us to our cultural roots of successful survival in this northern hemisphere. Our ancestors struggled throughout the winter months yet created unique carvings that linked them to spiritual survival. We still depend on subsistence activities, and the arts and crafts we create for economic development. With the continuing rising costs of modern living and the threats of coastal erosions, our artists need this protection from this proposed bill.

We look forward to working with the Alaska State Council on the Arts to bring this program into the 21<sup>st</sup> century.

Sincerely,



MaryJane Anuqsraaq Litchard  
President  
Bering Strait Inuit Council  
P.O. Box 943  
Nome, Alaska 99762  
(907) 443-4248  
(907) 443-4449



ALASKA  
NATIVE  
HERITAGE  
CENTER

March 6, 2007

Senator Gary Stevens  
State Capitol, Room 103  
Juneau, AK 99801-1182

fax: 907-465-3517

Dear Senator Stevens:

We at the Alaska Native Heritage Center are in full support of SB97. This bill is based on surveys, discussions, and testimony in the Alaska Native arts community and builds upon a Native Artists Summit held at AFN in October 2007. At no cost to the state, SB97 accomplishes many critical objectives in serving artists statewide.

Among the bill's strengths:

- It establishes a relationship between Silver Hand permit holders and the Alaska State Council on the Arts, who administers the program.
- Critically important, it links the Silver Hand permit program to State of Alaska consumer protection and fair trade laws.
- It expands the definition of Native art to include contemporary works, which constitute a huge contribution to our state's economy and culture.
- It allows Alaska Native artists to use all materials – not just those termed “traditional” – that are important in the creation of their art.
- It aligns with Federal language established in the Indian Arts and Crafts Act of 1990.
- Most importantly, it serves the needs of Alaska Native artists throughout the state.

I join many others in the Native community in support of this bill and thank you for your support as well.

Chin'an ("Thank you"),

  
Jonathan Ross, MBA  
President and CEO

---

**From:** Gale Parsons [mailto:gparsons@prattmuseum.org]  
**Sent:** Wednesday, March 07, 2007 11:16 AM  
**To:** Sen. Gary Stevens  
**Subject:** Senate Bill SB97

7 March 2007

Dear Senator Stevens and Representative LeDoux,

Thank you for crafting Senate Bill (SB97) and companion House Bill (HB161) to update the Silver Hand program statutes. The proposed changes represent long requested and important improvements to this program for Alaska Native artists. As an artist and Exhibits Director of the Pratt Museum in Homer I have been aware of the program, its importance and inadequacies since arriving in Alaska 28 years ago or since the beginning of the program. I have worked closely with Alaska Native artists through my work at the Pratt beginning in 1995 and understand the frustrations outlined in the comments below that the Bills address.

1. Establish a primary service relationship between Silver Hand artists and the Alaska State Council on the Arts. The agent arm of the permit program will be removed.
2. Strengthen enforcement capability by linking Silver Hand statues to Alaska consumer protection and fair trade practices statutes. Civil penalties for the misuse of the Silver Hand emblem will be added. Aligns with Federal language established in the Indian Arts and Crafts Act of 1990.
3. Expand economic and creative opportunities by including contemporary Alaska Native artists and the materials deemed important in the creation of their. The statutes expand the definitions section and define eligible visual art mediums.
4. Enable Federally recognized Alaska Native Tribes and ANCSA to identify eligible permit holders. Reference to blood quantum will be removed.
5. Empowers the state to promote and protect Silver Hand permit artists who's work represents a very significant economic contribution to the state.

Thank you for addressing this need.

Sincerely,

Gale Parsons

---

Gale Parsons, Director of Exhibits  
Pratt Museum  
3779 Bartlett Street  
Homer, AK 99603  
907-235-8635 x 36

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**From:** Vera Crews [mailto:consult@veracrews.com]  
**Sent:** Wednesday, March 07, 2007 1:52 PM  
**To:** Sen. Gary Stevens  
**Subject:** SB167

Please support SB 167 – which is meeting at the same time as I'm writing this, I think .....  
it should accomplish these things:

1. Establish a primary service relationship between Silver Hand artists and the Alaska State Council on the Arts. The agent arm of the permit program will be removed.
2. Strengthen enforcement capability by linking Silver Hand statues to Alaska consumer protection and fair trade practices statutes. Civil penalties for the misuse of the Silver Hand emblem will be added. Aligns with Federal language established in the Indian Arts and Crafts Act of 1990.
3. Expand economic and creative opportunities by including contemporary Alaska Native artists and the materials deemed important in the creation of their. The statutes expand the definitions section and define eligible visual art mediums.
4. Enable Federally recognized Alaska Native Tribes and ANCSA to identify eligible permit holders. Reference to blood quantum will be removed.
5. Empowers the state to promote and protect Silver Hand permit artists who's work represents a very significant economic contribution to the state.

Thanks you,  
Vera Crews, Anchorage  
Alaska State Council on the Arts

From: sonya kellhercombs [mailto:kellihercombs@hotmail.com]  
Sent: Monday, April 02, 2007 12:08 PM  
To: Sen. Gary Stevens  
Subject:

Dear Senator Gary Stevens,

This letter is in support of the proposed update to the Silver Hand program, SB97. As a lifelong Alaskan and Alaska Native Artist I know the true need for an authentication program such as the Silver Hand. The proposed changes to the Silver Hand through SB97 will bring it into the next century. Our children and communities will be able to prosper through the use of this program for generations to come.

Thank you so much for your support of S397.

Sincerely,

Sonya Kelliher-Combs

## Tim Lamkin

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**From:** L. Saunders McNeill [saunders\_mcneill@eed.state.ak.us]  
**Sent:** Thursday, May 03, 2007 9:42 AM  
**To:** Tim Lamkin  
**Subject:** FW: Senate Bill 97

Tim,

Thought you might like to see this. Just as point of background John lost his wife a number of years ago and moved back to Mekoryuk with his four children. Incredible person. His art income, in part, allows him to support his four children.

Saunders

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**From:** OscarsFineArt [mailto:oscarsfineart@starband.net]  
**Sent:** Wednesday, May 02, 2007 6:44 PM  
**To:** Rep\_Mark\_Neuman@legis.state.ak.us  
**Cc:** rex\_shattuck@legis.state.ak.us; saunders\_mcneill@eed.state.ak.us  
**Subject:** Senate Bill 97

Honorable Representative Mark Neuman,

I am writing in support of Senate Bill 97 relating to the Silver Hand permit, "An Act relating to identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices."

I am a Silver Hand permit holder, and have been a participant for several years. I joined in hopes that the consumer of the "Alaska Native Handicraft" items may be able to distinguish fake art from the imitators who are not Native.

There is not enough support to the Silver Hand program from the State of Alaska that it has provided to the "Made in Alaska" insignia, and would require better language to enable support to the Silver Hand program. So that illegal production of the arts and crafts made by imitators will be enforced.

I recommend this first step to protecting rural communities who produce arts and crafts from illegal producers who take away our source of income in work-starved rural communities, and that if possible, offer better support by the state in enforcing the program.

John Oscar, Fine Artist  
Oscar's Originals  
PO Box 76  
Mekoryuk, AK 99630-0076  
(907) 827-8549 Studio  
Web: [www.oscarsoriginals.com](http://www.oscarsoriginals.com)  
Email: [oscarsfineart@starband.net](mailto:oscarsfineart@starband.net)

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**From:** Jimmy Carlisle [mailto:kingisland99762@hotmail.com]  
**Sent:** Thursday, May 03, 2007 11:44 PM  
**To:** Rep\_Mark\_Neuman@legis.state.ak.us  
**Cc:** rex\_shattuck@legis.state.ak.us  
**Subject:**

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation.

I have been part of the Silver program in the past, and when the chance arises, I do encourage other Native Artist to participate in the Silver Hand program. This program is a way for the Native Artist to insure the public that they are getting Authentic Native Crafts and something not made in some foreign country.

Thank you for your consideration with this matter.

Sincerely,  
Jimmy Carlisle,  
Vice President  
King Island Native Corporation  
And  
Native Artist

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**From:** Sven Haakanson [sven@alutiiqmuseum.com]  
**Sent:** Thursday, May 03, 2007 8:05 AM  
**To:** Rep. Mark Neuman  
**Cc:** Rex Shattuck  
**Subject:** Silverhand

Dear Honorable Rep. Neuman,

I support SB97 as it is written. I was part of the panel and we debated the issues that were brought up in the last meeting. While we would like for all Alaskan Natives to have access to the Silverhand it was designed to help Alaskan Natives living in Alaska. To help our Alaskan Market. As you well know most of the Native artists live in the rural area's and they don't have access to the market as others who live in the cities or in the lower 48.

I am the Chair of the Alaska State Council on the Arts. When our council talked about this program we all agreed it was time to bring it up to date. This is why we are proposing the suggested changes with SB97. I want to thank you for your consideration of this important legislation.

I am also a silver hand permit holder.

If you have further questions please feel free to contact me.

Sincerely yours,  
Sven Haakanson Jr., Ph.D.  
Executive Director  
Alutiiq Museum  
215 Mission Road, Suite 101  
Fodiak, AK 99615  
www.alutiiqmuseum.com

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**From:** Philip Owens [dentyivorycarver@msn.com]  
**Sent:** Thursday, May 03, 2007 9:02 AM  
**To:** Rep. Mark Neuman

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation.

Respectfully,

Philip M Owens

---

**From:** Shirley Moto [smoto@nativefederation.org]  
**Sent:** Thursday, May 03, 2007 9:43 AM  
**To:** Rep. Mark Neuman  
**Cc:** Rex Shattuck  
**Subject:** Support SB97

17

Honorable Mark Neuman,  
I support bill SB97. The silverhand program is a positive initiative for the Alaska Native community. Thank you.  
Shirley Moto

---

**From:** Darlene Nichols [darlene@nveyak.org]  
**Sent:** Thursday, May 03, 2007 10:04 AM  
**To:** Rep. Mark Neuman  
**Subject:** SB97

18

Honorable Rep. Neuman,

As an Alaskan native artist and a Silver Hand permit holder, I support SB97 as it is written. Thank you very much for your consideration of this important legislation. This is also my representation for my mom and other native artists from the village of Kipnuk, AK. Thank you for listening to my voice of concern on this subject.

Sincerely,  
Darlene C. Nichols

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**From:** Gloria Cunningham [gloria@nveyak.org]  
**Sent:** Thursday, May 03, 2007 10:19 AM  
**To:** Rep. Mark Neuman  
**Subject:** Silver Hand Bill

19

Honorable, Rep. Neuman,  
I support SB97 as it is written. Thank you for your consideration of this important legislation. I am an Silver Hand permit holder.  
Sincerely,

Gloria Cunningham  
Elder Service Coordinator  
Native Village of Eyak  
P.O.Box1388  
Cordova, Alaska 99574  
907-424-7738

**From:** Beckie Etukeok [BEtukeok@alaskanative.net]  
**Sent:** Thursday, May 03, 2007 10:44 AM  
**To:** Rep. Mark Neuman  
**Subject:** SB97

20

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation.

Sincerely,

Beckie Etukeok  
Silver hand artist

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**From:** Rcgger Alexander [ralexander@kpunet.net]  
**Sent:** Thursday, May 03, 2007 11:07 AM  
**To:** Rep. Mark Neuman  
**Subject:** silver hand

21

Honorable Rep. Neuman

I support SB97 as it is written. Thank you for your consideration of this important legislation Sincerely S Roger Alexander silver hand artist

---

**From:** Steve or Irma Brown [samarsea@wavecable.com]  
**Sent:** Thursday, May 03, 2007 11:57 AM  
**To:** Rep. Mark Neuman  
**Subject:** silver hand bill

22

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation. Alaska Native artists need to be clearly visible in this age with foreign copies being sold as the genuine article. The silver hand gives buyers a clear and reliable guide to authenticity.

Sincerely,

Steven C. Brown  
Sequim, Washington  
(former Alaska resident)

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**From:** ronhoney [ronhoney@gci.net]  
**Sent:** Thursday, May 03, 2007 12:40 PM  
**To:** Rep. Mark Neuman  
**Subject:** silver hand bill

23

Please support the silver hand bill. I am alicia scherp, a silver hand artist in big lake, ak. My alternate e-mail address is [ronhoney@gci.net](mailto:ronhoney@gci.net) thanks very much.

---

**From:** Senungetuk [turon@xyz.net]  
**Sent:** Thursday, May 03, 2007 2:07 PM  
**To:** Rep. Mark Neuman  
**Subject:** Re: SB97 Silver Hand Bill

24

Honorable Rep. Neuman,

I support SB97 as it is written. It will be a much needed update of the Silverhand statutes. It will mean that many Alaskans and visitors will appreciate more of our unique forms of art and it will also be an economic enhancement for us all. Thank you for your consideration of this important legislation.

Sincerely,

Ron Senungetuk

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**From:** Anna Ehlers [chilkatsplendor@yahoo.com]  
**Sent:** Thursday, May 03, 2007 3:03 PM  
**To:** Rep. Mark Neuman  
**Subject:** Silver Hand

25

Silver Hand Bill 97 is effective as written. I have participated in the Silver Hand program since its inception. Thank you for your consideration.

Sincerely,

Anna Brown Ehlers  
United States Artist  
Chilkat Weaver from the Chilkat Valley

---

**From:** Pamla Credo-Hayes [pcredohayes@ccthita.org]  
**Sent:** Thursday, May 03, 2007 3:28 PM  
**To:** Rep. Mark Neuman  
**Subject:** Silver Hand

26

Dear Representative Neuman, please reconvene a committee re the Silver Hand permit of Alaska Native artists. The word is out that if you purchase a Silver Hand item that it is authentic Alaska Native Art. Thank you.

P.S. I am representing myself as an Alaska Native Artist and I am not representing Tlingit and Haida or any other organization.....thank you.

---

**From:** akaleut@arctic.net  
**Sent:** Thursday, May 03, 2007 3:31 PM  
**To:** Rep. Mark Neuman  
**Cc:** Rex Shattuck  
**Subject:** Silver Hand

27

Dear Representative Neuman,  
I am an Aleut born and raised in Unalaska, located out on the Aleutian chain.

I hold Permit No. 24 of the Silver Hand. I proudly make the Aleut Bentwood hats and visors, I had the distinguished honor of learning from the late Andrew Gronholdt. This was a dying art, but, was single handedly revived by Mr. Gronholdt.

I also do the Aleut basketweaving, skin sewing and gut sewing. I am a teacher of Aleut Art and when I am hired in my schools, or for that matter, schools in the Aleut region, I am Proud to say I am a Silver Hand artist and encourage other Alaska Natives to acquire the permit as well.

I strongly support SB97.

Thanks for your valuable time and especially your consideration for us Alaska Native people.

Sincerely,  
-Okalena Patricia Lekanoff-Gregory

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**From:** Theresa John [lftj@uaf.edu]  
**Sent:** Thursday, May 03, 2007 4:24 PM  
**To:** Rep. Mark Neuman  
**Subject:** SB 97

28

I support SB 97 as it is written. Thank you very much for you consideration.

Sincerely,  
Theresa Arevgaq John

29

**From:** Molly Lee [ffmcl@uaf.edu]  
**Sent:** Thursday, May 03, 2007 4:34 PM  
**To:** Rep. Mark Neuman  
**Cc:** Rex Shattuck  
**Subject:** In Support of Silver Hand Bill

Dear Honorable Rep. Neuman,

As an anthropologist who has studied Alaska Native art for thirty years, I support SB97 as it is written and urge your support as well. The program is vital to the continuance of the rich resource that Alaska Native art represents for the entire state. Thank you for your consideration of this important legislation.

Sincerely,  
Molly Lee

Molly Lee, Ph.D.,  
Curator of Ethnology, Professor of Anthropology University of Alaska Museum PO Box 82564  
(907 Yukon Dr.) Fairbanks, AK 99775-6960  
Tel: (907) 474-7828

30

**From:** Robert Hoffmann [robert4kris@gci.net]  
**Sent:** Thursday, May 03, 2007 4:35 PM  
**To:** Rep. Mark Neuman  
**Cc:** Rex Shattuck  
**Subject:** SB97

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation.

I am not a Silver Hand permit holder, but will be applying for one soon.  
I am an Alaska Native artist.

Sincerely,

Robert Hoffmann

Robert Hoffmann  
621 Sawmill Creek Road  
Sitka, Alaska 99835  
ph: 907-966-2607  
fax: 574-966-2600

Untitled Stationery

---

**From:** Lois Thadei [aleutwoman@comcast.net]  
**Sent:** Thursday, May 03, 2007 4:56 PM  
**To:** Rep. Mark Neuman  
**Subject:** Please Support SB97 as amended.

31

Please support SB97, looking pretty good now. Nice peice of artistic legislation. While I am outside now, I do return routinely, and have my home near Ketchikan. So, I am anxious to see SB 97 pass.

*Lois Chichinoff Thadei (Aleut-Sealaska)*

Mailing Address: 120 State Ave NE #1455 - Olympia, WA 98501  
Phone: Day (M - F 8 - 5) 360-902-7857  
Evening/Weekends: 360-539-5031

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**From:** Marty Waters [waters\_marty@hotmail.com]  
**Sent:** Thursday, May 03, 2007 5:06 PM  
**To:** Rep. Mark Neuman  
**Subject:** support SB97

32

Honorable Rep. Neuman,

I, Marty Waters, Silver Hand Artist, Permit # 1560 support SB97 as it is written. Thank you for your consideration of this important legislation.

(if you are a Silver Hand permit holder PLEASE state that you are)

Sincerely,

Marty Waters

---

**From:** Mike Webber / Toni Godes [leax@ctcak.net]  
**Sent:** Thursday, May 03, 2007 5:15 PM  
**To:** Rep. Mark Neuman  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* silver hand

33

I would like to support SB 97 the silver hand bill. I am a native carver that lives in Cordova.

Mike Webber

*Alaska Gulf Coast Carving*

Mike Webber  
PO Box 1711  
Cordova, AK 99574

907-434-7471  
leax@ctcak.net  
www.alaskacarving.com

**From:** wlhuss@aol.com  
**Sent:** Thursday, May 03, 2007 9:04 PM  
**To:** Rep. Mark Neuman  
**Subject:** \*\*\*\*\*SPAM!\*\*\*\*\* Silver Hand Bill

34

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation.

While I am not able to use the Silver Hand personally, my daughter, daughter in law, and grand children are potential users of this valuable symbol of Native Made Art. It creates a distinguishing mark and adds value to art created by Native Alaskan Artists.

When tourists buy something with the Silver Hand, it is an assurance that the art is Native Alaskan made and it adds to the memories tourists talk about when they return home.

Sincerely,

Winifred Huss, Kotzebue Teacher, retired

**From:** Glenda Lindley [lindleyg@jsd.k12.ak.us]  
**Sent:** Friday, May 04, 2007 8:59 AM  
**To:** Rep. Mark Neuman

35

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation (if you are a Silver Hand permit holder PLEASE state that you are)

Sincerely,

glenda Lindley  
4411 Portage Blvd  
Juneau, Ak 99801

**From:** Jan Steinbright [jsteinbright@sj-alaska.edu]  
**Sent:** Friday, May 04, 2007 9:50 AM  
**To:** Rep. Mark Neuman  
**Subject:** support HB97

36

Representative Neuman:

Again, I ask for your support for HS97 (The Silver Hand Bill) as it is so important for our Alaska Native artists to have some control over authentication of their work. The new wording gives some latitude the old version did not and will allow more inclusion. Please support this bill.

Thank you, Jan Steinbright  
Assistant Director  
Alaska Native Studies  
Sheldon Jackson College

---

**From:** Umara [umara@alaska.net]  
**Sent:** Friday, May 04, 2007 10:22 AM  
**To:** Rep. Mark Neuman  
**Subject:** Sb 97

37

I am a professional native Artist that has been in the silver hand program for twenty some years. I do not support Sb 97 and did not know it existed until today. I also resent that I was not asked for input or comment on a bill that affects my livelihood. The council of arts should not be able to take action like this with out informing the people it supposedly represents. Please stop this bill, it would not be right to make these changes with out the silver hand artists being aware of or understanding their consequences.

Thank you for your time.

Dora Nupowhotuk/Buchea  
P.O. Box 853  
Slana, Alaska 99586

Phone :907-822-3074

---

**From:** Shirley Tuzroyluke [stuzroyluke@gci.net]  
**Sent:** Friday, May 04, 2007 11:59 AM  
**To:** Rep. Mark Neuman  
**Cc:** Rex Shattuck  
**Subject:** Support the Silver Hand Permit Program

38

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation. I applied to be a Silver Hand Permit Holder in he early 90's and believe that I'm still registered.

Sincerely,

Shirley Tuzroyluke

**From:** L. Saunders McNeill [saunders\_mcneill@eed.state.ak.us]  
**Sent:** Monday, May 07, 2007 12:49 PM  
**To:** 'Wanda Culp'  
**Cc:** n\_c\_barnes@msn.com; pjcad48@hotmail.com; Rep. Mark Neuman  
**Subject:** RE: SB 97

**Follow Up Flag:** Follow up  
**Flag Status:** Green

Dear Wanda,

The Silver Hand program was transferred to the Alaska State Council on the Arts in 1998. The transfer was requested by Governor Knowles through Executive Order 100. Gov. Knowles initiated the transfer based on recommendations from his appointed Native Arts panel (separate from any state agency affiliation and as part of his Marketing Alaska Task Force), consisting of Alaska Native artists and non-state Native art program administrators to evaluate the efficacy of management of all state programs. The Native arts panel believed the Alaska State Council on the Arts would better serve the interests of Alaska Native artists. It was at their behest that Gov. Knowles transferred the program. I have copied the EO to the bottom of this email.

The perception that the transfer of the Silver Hand program back under the umbrella of the Department of Commerce Community and Economic Development will result in the "refunding" of the Silver Hand permit program is misinformed. All state programs have experienced significant funding reductions since the mid 1980's. State departments have also sustained significant staffing cuts. There are less staff to administer more programs with significantly less funding.

The funding for the Made In Alaska program is specific to that permit program and is provided as a line item within the DCEED appropriation. The transfer of the Silver Hand program back to DCEED would not make it eligible for Made In Alaska designated funds. In addition, the transfer of the Silver Hand program back to DCCED would be expensive, time consuming, not result in any increase in program funding, and undermine important programmatic institutional memory gained within the Alaska State Council on the Arts over the past nine years. In my opinion the proposed statutes have nothing to do with transfer to DCEED which would prove a terrible detriment to the program and the services currently provided to Alaska Native permit holders by ASCA staff. ASCA has effectively built and expanded upon the work DCEED did on behalf of Silver Hand permit holders. ASCA provides public education, advertising through a statewide educational campaign, conducts site visits and inspections, documents fraud violations and transfers those cases to the Attorney General's office for enforcement of the Silver hand and consumer protection statutes. The Federal Trade Commission, the Indian Arts and Crafts Board, other state agencies, Alaska Native Cultural Centers and private entities partner with our agency to provide extensive services to Alaska Native Artists and Silver Hand permit holders alike.

It is also incorrect that DCCED has enforcement authority. It does not. The enforcement authority for the state lies in the Attorney General's office in the Department of Law. The Alaska State Council on the Arts has nurtured a strong partnership with the Department of Law Fair Trade Practices and Consumer Protection program attorneys to address cases of Native art fraud, Silver Hand related and otherwise. The Silver Hand statutes can not control the illegal import of fake art objects over state, federal or international lines. There are other statutes in place, separate from current Silver Hand statutes, that address these illegal activities and violations of the law.

The import of "replica" work, made in "an Alaska Native art style" is legal as long as each object is labeled accordingly. While there is no question that the availability and local sale of these items offend the aesthetic sensibilities of Alaska Native artists, their advocates and many of their patrons, the practice is not fraudulent nor illegal. Our partnerships with both State and Federal enforcement agencies has allowed us to function as an effective liaison for Native artists and Native art patrons when they file a fraud complaint pertaining to the Silver Hand emblem or other Native art misrepresentation. If evidence can be provided to help investigators, then those investigators work to

1  
OPPOSED 1a

substantiate and address those complaints.

However, each case is evaluated confidentially. A case is not in public view until it is either resolved or settled and registered in documents accessible through public record. The effect of this constitutional practice can result in Alaska Native artists feeling like there is no enforcement.

There are some overlap issues with the Silver Hand permit program but not always. The statutes for the Silver Hand program establish jurisdiction over the use of the emblem. These other issues of illegal imports and legal replicas fall under the jurisdiction of local governance, consumer protection law, and federal fair trade practices law. The Arts Council works in close partnership with all of the enforcement agencies established to protect Alaska Native artists rights under these laws.

Currently the Silver Hand permit program statutes provide for criminal penalties for the misuse of the emblem. The proposed new statute would actually add a provision for civil penalties which would, through our partnership with the State Attorney General's office, expand our agency's enforcement capabilities. The step to "Enact legislation to ban the importation of Alaskan style items, thus eliminating tons of imitation art that flood the market now" is a good idea. And ASCA is aware of other states that have implemented this law through their own state legislatures. But legislation to ban the import of such items into the state is a distinct law separate from the improvements and expansions presented in SB97. Therefore, it should be proposed in a distinct and separate bill for public testimony and consideration.

Everyone impacted by the Silver Hand permit program is encouraged to expressed their opinion about the current statutes through the well established public legislative process. To date we have sent letters to all the Silver Hand permit holders, posted notification in our newsletter, and sent out broadcast emails to individual artists and Native arts organizations to notify Native artists. In addition, anyone is permitted to log in, free of charge, to listen to and testify in the legislative hearing teleconferences. Hopefully this information is helpful in understanding the permit program, its history, enforcement issues and the Arts Council's relationship to all of it. If you have any additional question feel free to contact me.

Best wishes,

Saunders McNeill

Community and Native Arts Program Director Alaska State Council on the Arts

The Executive Order reads as follows from the January House Journal dated 01-12-1998

(  
[http://www.legis.state.ak.us/basis/get\\_single\\_journal.asp?session=20&date=19980112&beg\\_page=2011&end\\_page=2029&chamber=H&jrn=2022](http://www.legis.state.ak.us/basis/get_single_journal.asp?session=20&date=19980112&beg_page=2011&end_page=2029&chamber=H&jrn=2022) )

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Suzi Lowell, Chief Clerk
Nancy Schaufelberger, Assistant Chief Clerk
Peggy Sepulveda, Assistant Chief Clerk

#### MESSAGES FROM THE GOVERNOR

A message dated January 9, 1998, was received stating under the provisions of Article III, section 18 of the Alaska Constitution, the Governor requests the opportunity to address a joint session of the Twentieth Alaska State Legislature on Tuesday, January 13, 1998, at 8:00 p.m. for presentation of the State of the State Address, and Thursday, January 15, 1998, at 8:00 p.m.

for presentation of the State of the Budget Address.

#### EO 100 EXECUTIVE ORDER NO. 100

Moving the responsibility for identification of the authentic Native handicraft identification seal program from the Department of Commerce & Economic Development to the Alaska State Council on the Arts within the Department of Education. was referred to the Community & Regional Affairs and Labor & Commerce Committees. The Governor's transmittal letter, dated January 12, 1998, appears below:

Dear Speaker Phillips:

I am transmitting an Executive Order to formally transfer the authentic Native handicraft identification seal program, known as the "silverhand" program, from the Department of Commerce and Economic Development to the Alaska State Council on the Arts.

This transfer places the program in an arm of state government more closely allied with the artistic nature of the articles that bear the program's seal. The council's general oversight of other artistic endeavors should allow for smooth integration of the administration of the silver hand program. The transfer will result in better efficiency and more knowledgeable application of the statutory provisions.

I urge your support of this Executive Order to help streamline state government operations.

Sincerely,  
Tony Knowles  
Governor"

-----Original Message-----

From: Wanda Culp [mailto:kashudoha07@hotmail.com]  
Sent: Monday, May 07, 2007 8:17 AM  
To: n\_c\_barnes@ms .com; pjcad48@hotmail.com, Rep\_Mark\_Neuman@legis.state.ak.us  
Cc: saunders\_mcneil@eed.state.ak.us  
Subject: SB 97

To All This Concerns,

After further investigation into the wording of SB 97, I have to state that, as written, it will only be a dis-service to Alaska Native artisans of cultural items.

As written, SB 97 is creating a separation and unequal treatment in Alaska.

The Silver Hand Program is to provide economic opportunity and marketing tools for Alaska Native artisans while providing assurance to buyers that the Traditional Alaska Native style items are made by Alaska Natives.

I did not realize that the "Silver Hand Program" had been transferred to the Alaska Department of Education Arts In Alaska State Council - away from the Alaska Department of Commerce Community and Economic Development (DCCED). The balancing "Made in Alaska" program remains with CDDDED where it benefits from public education, advertising, inspections and enforcement of the statutes. RETURN THE SILVER HAND PROGRAM TO THE DEECD under the Duties of Department regulations, specifically AS 44.33.020 (a), (2), (6), (7), (13), (14), (19), (21), (30), (31), (36).

The current statute of Sec. 14. AS45.65 clearly defines Alaska Native Handicraft with its clear penalties for selling fake items as Alaska Native made.

Retain the intent of the word "handicraft" by keeping "Arts and Crafts" in the wording.

Remove all reference to "Agent" of the Silver Hand Program.

Enact legislation to ban the importation of Alaskan style items, thus eliminating tons of imitation art that flood the market now. New Mexico, Arizona and Montana have this type of laws. Even if it takes a decade or more to become fully enforceable, it will raise the status of Alaska Native arts and crafts to where it should be rather than mired under imitation fake replicas.

Retain Sec. 14. AS45.65.060 (a), (b), (c), (d), (e).

Thank you for your time and attention to what I have presented here

Wanda J. Culp, dba "KASHUDOHA VISIONS"

OPPC SED 1c

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**From:** Helen McNeil [hsmcneil@gci.net]  
**Sent:** Monday, May 07, 2007 1:16 PM  
**To:** Rep. Mark Neuman; Rep. Carl Gatto; Rep. Kyle Johansen; Rep. Vic Kohring; Rep. Bob Lynn; Repr\_Andrea\_Doll@legis.state.ak.us; Rep. Mike Doogan  
**Cc:** Rex Shattuck  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

SB 97, as written, it will only be a dis-service to Alaska Native Artisans and Craftsman of cultural items.

As written, SB 97 is maintaining separation and unequal treatment in Alaska.

The Silver Hand Program is to provide economic opportunity and marketing tools for Alaska Native artisans while providing assurance to buyers that the Traditional Alaska Native style items are made by Alaska Natives.

The "Silver Hand Program" had been transferred to the Alaska Department of Education, Alaska State Arts Council – away from the Alaska Department of Commerce Community and Economic Development (DCCED). The "Made in Alaska" program remains with CDEED where it benefits from public education, advertising, inspections and enforcement of the statutes.

RETURN THE SILVER HAND PROGRAM TO THE DEECD under the Duties of Department regulations, specifically AS 44.33.020 (a), (2), (6), (7), (13), (14), (19), (21), (30), (31), (36).

The current statute of Sec. 14. AS45.65 clearly defines Alaska Native Handicraft with its clear penalties for selling fake items as Alaska Native made. Keep these Statues in the DCCED.

Retain Sec. 14. AS 45.65. in the DCCED.

Retain the intent of the word "handicraft" by keeping "Arts and Crafts" in the wording. Remove all reference to "Agent" of the Silver Hand Program.

Define Alaska Native as a person who has a Tribal membership card OR a BIA Tribal membership card identifying an Alaska Native Tribal ancestry.

Enact legislation to ban the importation of Alaskan style items, thus eliminating tons of imitation art that flood the market now. New Mexico, Arizona and Montana have this type of laws. Even if it takes a decade or more to become fully enforceable, it will raise the status of ALL Alaska Arts and crafts to where it should be. All Alaskan Craftsman will be able to make a living wage. Look at the DCCED reports on the income of Alaska gift shops to see the possible income that would stay in the state rather than leave Alaska every September.

Thank you for your time and attention to what I have presented here

ShtaKaawTe'  
Helen McNeil

5/8/2007

OPPOSED 2

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**From:** Daisy G Schumacher [daisyj@alaska.com]  
**Sent:** Monday, May 07, 2007 10:28 AM  
**To:** Rep. Mark Neuman  
**Subject:** Silver Hand

I agree with Helen McNeil and will support her opinions on it. Although I don't have a Silver Hand permit, I help our Native children with the making of traditional arts and crafts and know many local Native Artists. The children make these crafts to raise money to support their Alutiiq Dance program. The local Native artists make these items to make a living for themselves without having to depend on government cheese. In some point in the future, I see one of these youngsters taking up the making of traditional Native arts and crafts. We should do everything we can to preserve the Silver Hand program because this program ensures a way for the public to know that the item they are purchasing is made by Alaska Natives. Thank you.

*Daisy G. Schumacher, Office Manager  
Kodiak Tribal Council, Inc.*

OPPOSED 3

## Forget cultural purity, cellist says

The notion of cultural purity is a dead end, said famed cellist **Yo-Yo Ma**, who was born in Paris to Chinese parents and came to the United States as a child prodigy.

Ma's internationally recruited Silk Road Ensemble involves instruments such as Indian sitars, Islamic ouds, and Chinese erhu, suona and pipa and has filled museums with works from Azerbaijan, Iran, Mongolia and Uzbekistan.

"I have L.'s theory that I share with (Art Institute of Chicago president) Jim Cuno," Ma told The Associated Press in Chicago. "It's that nothing great was ever produced in isolation."

Ma says his study of history at Harvard University led him to realize that Eastern and Western cultures are not self-contained, but have mixed since at least the time of Alexander the Great.

"Even something as basic as our Western major and minor keys may have originally come from the amazingly complex modes of classical Persian music," Ma said. "And there's a continual tradition in the West of incorporating music from other parts of the world."

The pattern continues with instruments, too, he said.



Ma



ALASKA STATE LEGISLATURE  
HOUSE JUDICIARY COMMITTEE

Representative Jay Ramras  
Chairman

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**Committee Members:**  
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Representative John Coghill  
Representative Bob Lynn  
Representative Ralph Samuels  
Representative Max Gruenberg  
Representative Lindsey Holmes

State Capitol, Room 120  
Juneau, Alaska 99801-1182

**Fax**

To: Legislative Legal

Fax #: 2029

Number of pages including cover: 1

From: Jane Pierson

Date: March 14, 2008

Re: HJUD final for HCSCSSB97 (25-LS0405\N)

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Please go final on the above-referenced bill. There were no amendments or changes.

Thank you.

HP Officejet 7310xi  
Personal Printer/Fax/Copier/Scanner

Log for  
Representative Jay Ramras  
(907) 465-2070  
Mar 14 2008 2:27PM

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Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Mar 14	2:26PM	Fax Sent	2029	0:35	2	OK