

**HB**

**21**

# Alaska State Legislature

*Session: (Jan-May)*  
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**John Harris**  
Speaker of the House

## **Sponsor Statement** **CSHB 21(STA) - Proper Disposal of the State Flag**

CSHB 21(STA) provides for the proper and respectful disposal of worn-out or damaged state flags in the same manner as the American flag and will revise flag language used from early statehood. Currently, the state of Alaska has no statutory provision allowing the American Legion and the Veterans of Foreign Wars to include the Alaska state flag in their ceremonies for disposal of the American flag. If enacted, CSHB 21(STA) will provide statutory authority to allow state flags to be included in those ceremonies.

The Ceremony for Disposal of Unserviceable Flags was approved through Resolution No.440 by the National Convention of The American Legion meeting in New York, New York, September 20-23, 1937, and has been an integral part of American Legion ritual since that date.

The American Legion was chartered by Congress in 1919 as a patriotic, mutual-help, war-time veteran's organization. It is a community-service organization that now numbers nearly 3 million in nearly 15,000 American Legion Post worldwide.

The VFW is a similar organization providing services for veterans of America's military who have served in a time of war

## Preamble to the Constitution of The American Legion For God and Country

We associate ourselves together for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order, to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in the Great Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and goodwill on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

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### Who We Are

The American Legion was chartered by Congress in 1919 as a patriotic, mutual help, war-time veterans organization. A community-service organization which now numbers nearly 3 million members -- men and women -- in nearly 15,000 American Legion Posts worldwide. These Posts are organized into 55 Departments -- one each for the 50 states, the District of Columbia, Puerto Rico, France, Mexico, and the Philippines.

The American Legion's national headquarters is in Indianapolis, Indiana, with additional offices in Washington, DC. In addition to thousands of volunteers serving in leadership and program implementation capacities in local communities to the Legion's standing national commissions and committees, the national organization has a regular full-time staff of about 300 employees.

Continue

## History of the Ceremony for the Disposal of Unserviceable Flags

The Ceremony for Disposal of Unserviceable Flags was approved through Resolution No. 440, by the National Convention of The American Legion meeting in New York, New York, September 20-23, 1937, and has been an integral part of American Legion ritual since that date. The resolution reads as follows:

WHEREAS, Americanism has been and should continue to be one of the major programs of The American Legion, and

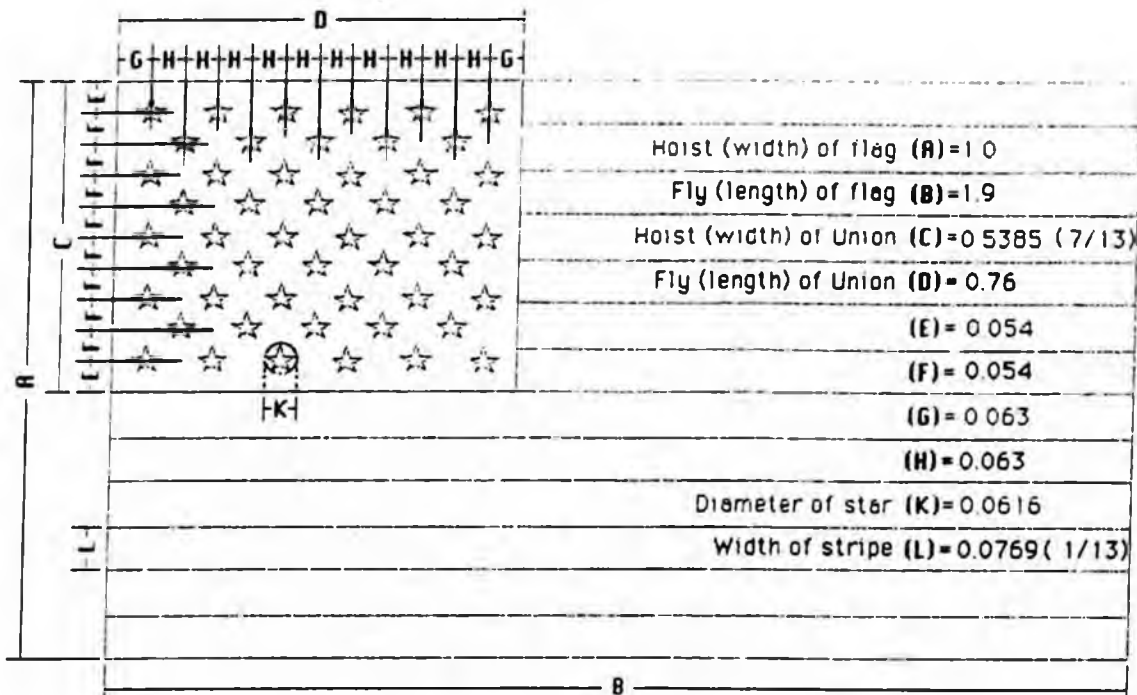
WHEREAS, The observance of proper respect for the Flag of our country and the education of our citizenry in the proper courtesies to be paid the Flag is an essential element of such Americanism program; and

WHEREAS, It is fitting and proper that Flags which have been used for the decoration of graves on Memorial Day be collected after such service, inspected, and worn and unserviceable Flags be condemned and properly destroyed; and

WHEREAS, The approved method of disposing of unserviceable Flags has long been that they be destroyed by burning, but no ritual for such destruction or ceremony in connection therewith has been adopted by The American Legion or included in its official manual of Ceremonies; therefore be it

RESOLVED, By The American Legion in National Convention assembled in New York City, September 20-23, 1937, that the ritual submitted herewith be adopted for use by The American Legion and that it be made the official ceremony for the destruction of unserviceable American Flags and to be included as such in the Manual of Ceremonies, Revised of The American Legion.

# Standard Proportions For The United States Flag



## THE FLAG IS PRECISELY DEFINED BY LAW

On June 14, 1776, Congress made the following resolution: "The flag of the United States shall be thirteen stripes, alternate red and white, with a union of thirteen stars of white on a blue field..." Because Congress made no rule for the arrangement of the stars, they were displayed in different ways, most usually in a circle. As new states joined the Union, they demanded representation in the stars and stripes of the flag. In 1795 Congress voted to increase to 15 the number of stars and stripes. Legislation enacted in 1818 reestablished the number of stripes at 13 and instituted the policy, "That on the admission of every new state into the Union, one star be added to the Union of the flag..."

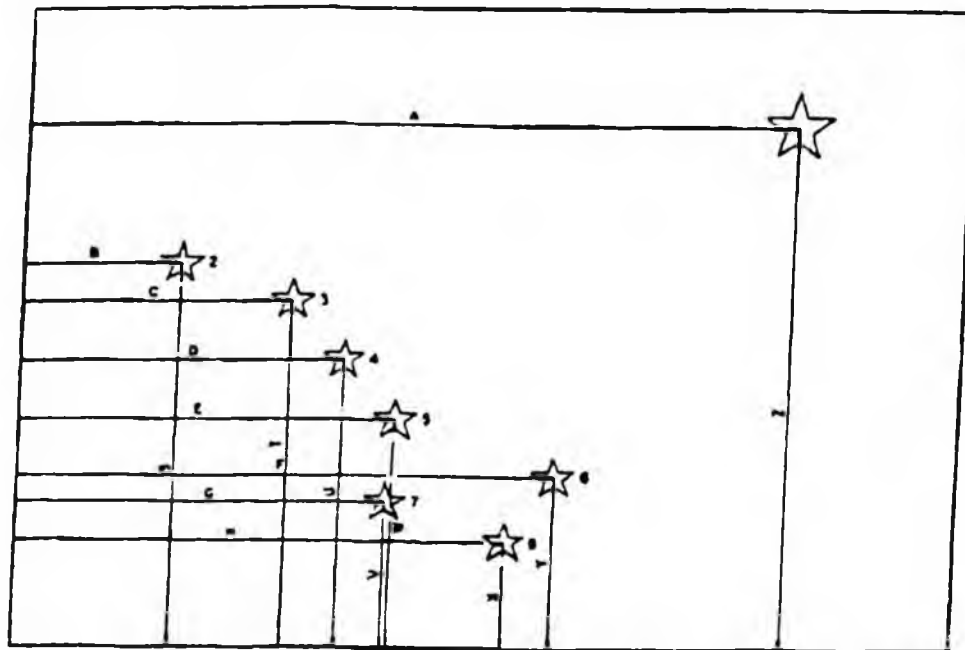
An executive order issued by President William Howard Taft on Oct. 29, 1912, fixed the overall width and length of the U.S. flag, known technically as the hoist and fly, respectively, in a ratio of 1: 1.9. The thirteen stripes were fixed at equal width. The hoist of the blue field containing the stars was fixed at seven-thirteenths of the overall hoist, that is, as extending from the top of the flag to the bottom of the seventh stripe. The fly of the blue field was fixed at a tiny fraction over three-fourths the overall hoist. The diameter of each star was established as a minute fraction under one-sixteenth of the overall hoist.

**"The flag of the United States shall be thirteen horizontal stripes, alternating red and White; and the union of the flag shall be forty eight stars, white in a blue field. "** 61 Stat. 642, July 30, 1947, ch. 389, 4 U.S.C.A.1. **This describes the civil flag of the United States, as it is to be flown in the District of Columbia, its enclaves and overseas on ships and embassies.**

Currently, the Flag of the united States of America is defined as :

The American Flag of Peace of the united States of America is described as red, white and blue, with thirteen alternating red and white horizontal stripes, and a blue field (union) with 50 stars, one to represent each of the several States. The Flag is proportional, (1 X 1.9) . This proportion is easily determined by measuring the length (fly) and dividing by the measurement of the width (hoist). The length divided by the width should be very nearly 1.9. If the flag is not to the correct 1 X 1.9 proportion, it is not an official Title 4 U.S.C. 1, 2 American Flag of Peace of the united States of America.

Title 4 U.S.C. 1, 2 and Presidential Executive Order 10834, found in the Federal Register at Vol. 24. No. 166, P.6365 - 6367.



STATE PROPORTIONS AND SIZE

HOIST (WIDTH VERT.) 1.000  
 FLY (LENGTH HORZ) 1.416  
 DIAM. LARGE STAR .104  
 DIAM. SMALL STARS .062

1	2	3	4	5	6	7	8
A	Z	B	S	C	T	D	U
1.158	.818	.229	.604	.396	.542	.479	.463
E	W	F	Y	G	V	H	X
.563	.360	.813	.271	.552	.229	.740	.167

## Sec. 44.09.020. State flag.

The design of the official flag is eight gold stars in a field of blue, so selected for its simplicity, its originality, and its symbolism. The blue, one of the national colors, typifies the evening sky, the blue of the sea and of mountain lakes, and of wild flowers that grow in Alaskan soil, the gold being significant of the wealth that lies hidden in Alaska's hills and streams.

The stars, seven of which form the constellation Ursa Major, the Great Bear, the most conspicuous constellation in the northern sky, contains the stars which form the "Dipper," including the "Pointers" which point toward the eighth star in the flag, Polaris, the North Star, the ever constant star for the mariner, the explorer, hunter, trapper, prospector, woodsman, and the surveyor. For Alaska the northernmost star in the galaxy of stars and which at some future time will take its place as the forty-ninth star in the national emblem.

The flag of the Territory of Alaska is the official flag of the state. The standard proportions and size graphically delineated herein shall be used in the manufacture of the official flag of Alaska. The stars shall be the color of natural yellow gold and the field of blue shall be of the same shade of blue used in the official manufacture of the national emblem of the United States. The design, standard proportions, and size are as follows:

REFER TO THE BOOK FOR THE PROPER FORM

## Sec. 44.09.030. Display of flags.

(a) The official flag of the state shall be displayed with the flag of the United States only from sunrise to sunset, or between the hours designated by proper authority. However, the flag may be displayed after sunset upon special occasions when it is desired to produce a patriotic effect.

(b) The flag of the United States and the flag of the State of Alaska shall be displayed daily, weather permitting, in the following places:

(1) on or near the main administration building of every institution under the authority or control of the state government;

(2) in or near every schoolhouse during school days.



should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

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### §176. Respect for flag

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

- (a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
- (b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.
- (c) The flag should never be carried flat or horizontally, but always aloft and free.
- (d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.
- (e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
- (f) The flag should never be used as a covering for a ceiling.
- (g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.
- (h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.
- (i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.
- (j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.
- (k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

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### §177. Conduct during hoisting, lowering or passing of flag

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes.

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### §178. Modification of rules and customs by President

Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable, and any such alteration or additional rule shall be set forth in a proclamation.

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### §179. Design for service flag; persons entitled to display flag

The Secretary of Defense is authorized and directed to approve a design for a service flag, which flag may be displayed in a window of the place of residence of persons who are members of the immediate family of a person