

**HB**

**98**

<TARGET><BILL>HB 98</BILL><SUBJECT>HB  
98</SUBJECT><COMM>HSTA27</COMM></TARGET>

# HOUSE COMMITTEE REPORT

(7)  
Date Referred to Committee: January 18, 2011

FURTHER REFERRALS:

Date of Committee Action: 2-17-11

The STATE AFFAIRS Committee considered:

HB 98

**HOUSE BILL NO. 98**

"An Act relating to display, folding, presentment, and retirement of the state flag."

**HB 98 HANDLING OF STATE FLAG**

Recommends it be replaced with  HCS or  CS for \_\_\_\_\_ (\_\_\_\_\_)  
For Senate Bills with new title:  Technical Title  New Title: HCR \_\_\_\_\_  Same Title  New Title

- attach amendments
- add new referral to \_\_\_\_\_ Committee
- Letter of Intent \_\_\_\_\_ Committee

List of  
Abbrev  
for  
Depts.:

- ADM
- CED
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- DHS
- LWF
- LAW
- LEG
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*FN# is assigned by Chief Clerk's Office				
*FN#	List by Dept(s):	Fiscal	Indet.	Zero
	Admin			X
	MLV			X

<u>PREVIOUS FISCAL NOTES</u>				
FN#	List by Dept(s):	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Jensen	X			
	Keller	X			
	Seaton	X			
	Petersen	X			
Chair:	Lynn	X			
Chair:					



# A.J. DIMOND JUNIOR RESERVE OFFICERS TRAINING CORPS





# Concept of the Briefing



While doing research last school year for a flag retirement ceremony, our JROTC program became aware of two glaring omissions from the state statutes which govern our flag:

- There is no proper method stipulated for displaying the flag against a wall
- There is no proper method stipulated for folding the flag

The purpose of this briefing is to discuss these two omissions and to recommend solutions to improve our statutes.

The format used will be the military Problem-Discussion-Recommendation format.

JROTC



## Problem – How to display the flag



U.S. ARMY

The Alaska Statutes – which are listed on the following slide- do not give an explanation for displaying the State Flag against a wall. This has caused a great deal of confusion and non-uniformity in how institutions are displaying the flag. It seems that each facility is basically left to its own devices to determine how to display the flag.

JROTC



## Problem – How to display the flag



- **AS 44.09.030. Display and Retirement 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.
- **(c)** An official flag of the state that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged may be respectfully retired by fire.

JROTC



# Problem – How to display the flag



Schools with the North Star displayed to the observers' right



Dimond High School



Grace Christian School



Chugiak High School



Bartlett High School



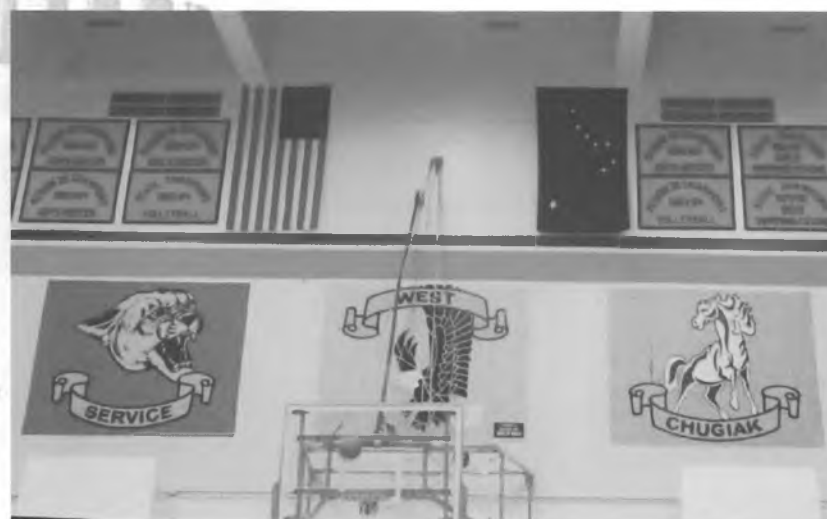
# Problem – How to display the flag



Schools with the North Star displayed to the observers' left



East High School



Service High School

JROTC



# Discussion



U.S. ARMY

It should be noted that in the photos above none of the schools are incorrect in how they displayed the flag. As the state has not mandated the correct way for it to be hung, there is by logical extension no incorrect way.

This lack of guidance has resulted in a random and inconsistent manner of display that renders our state flag no respect. For the sake of being consistent in our method of display, it is essential that our state legislature establish a statute that will result in a uniform method of displaying the flag.

JROTC



# Recommendation



While neither method of display seems to have significant advantages over the other, the cadets of Dimond JROTC would like to recommend that the statute be worded to mandate that when hung vertically from a wall, that the North Star be displayed to the observer's right (a.k.a. "the flag's own left") as in the photo below.





## Problem – How to fold the flag



U.S. ARMY

The Alaska Statutes (listed above) also do not give an explanation for how to properly fold the state flag. Generally, there are two common options.

- Fold the flag in a triangle utilizing the same techniques used to fold our national colors
- Fold the flag in a rectangle

As was the case with displaying the flag, This has caused confusion and non-uniformity in how institutions are folding the flag. It seems that each facility is basically left to its own devices to do what it thinks is best.

JROTC



# Discussion



U.S. ARMY

As was the case with the display of the flag, neither options seems to have significant advantages over the other. Certainly it seems a logical extension to use the same method of folding the national colors when folding our state flag. But also, it seems fitting to keep that method “sacred” and reserve it for our national colors only, and to use a “lessor” technique for our state flag.

JROTC



# Recommendation



U.S. ARMY

After much thought and deliberation, the cadets of Dimond JROTC would like to recommend that the triangle technique used for our national colors be reserved for it alone, and we opt to fold our state flag in a rectangle.

Part of our motivation in this recommendation is respect for our national flag, and part is a passionate belief in the uniqueness of Alaska and a desire to reflect that in how we fold our flag. After much trial and error, we have developed a technique that is neither complicated or cumbersome, and yet when done properly, results with the North Star – the defining emblem of our state – being displayed on top of the flag. The slides that follow describe how this is done.

JROTC



# Recommendation



With the flag held horizontally and with the north star in the upper right corner from the camera's perspective...





# Recommendation



Fold the flag width-wise.





# Recommendation



When done, the open edge is away from and the folded edge is toward the camera.





# Recommendation



Fold the flag width-wise a second time.





# Recommendation



As before, when done, the open edge is away from and the folded edge is toward the camera.





# Recommendation



Fold the flag length-wise.





# Recommendation



When done, the open edge is to the right and the folded edge is to the left as viewed by the camera.





# Recommendation



Fold the flag length-wise a second time.





# Recommendation



(Continued)





# Recommendation



As before, when done, the open edge is to the right and the folded edge is to the left as viewed by the camera.





# Recommendation



Fold the flag length-wise a third time.





# Recommendation



As before, when done, the open edge is to the right and the folded edge is to the left as viewed by the camera.





# Recommendations



When properly folded, the North Star will be visible on the top of the flag.





# Summary



Through our research and experience, we have seen that the Alaskan flag has no proper method of display or folding. This can be seen in many schools and other public institutions regulated by the government.

Just as the United States has a thorough flag code, we would like to propose putting in a more valid and descriptive flag code for the state of Alaska.

This in turn would remedy the confusion of how to display and fold the flag create and create uniformity throughout our public and governmental institutions.

We firmly believe that this project would provide for the betterment of our school, community, and state. We urge you to consider our proposal and help guide us in this matter.

# FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

Fiscal Note Number \_\_\_\_\_  
 Bill Version HB 098  
 () Publish Date \_\_\_\_\_

Identifier (file name) HB098-DOA-DGS-02-16-11 Dept. Affected Administration  
 Title An act relating to display...and retirement of the state flag. Appropriation State Owned Facilities  
 Allocation Facilities  
 Sponsor Representatives Johnson and Hawker  
 Requester House State Affairs OMB Component Number 2429

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
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>								
-----------------------------	--	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES</b>								
---------------------------	--	--	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
<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 (FY2011) cost \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by Vern Jones  
 Division General Services  
 Approved by John Cramer  
Deputy Commissioner

Phone 465-5684  
 Date/Time 2/16/11 12:00 AM  
 Date 2/16/2011

**FISCAL NOTE**

**STATE OF ALASKA  
2011 LEGISLATIVE SESSION**

**BILL NO. HB 098**

**Analysis**

This bill will have no fiscal impact

# ALASKA STATE LEGISLATURE

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REPRESENTATIVE CRAIG JOHNSON  
RULES COMMITTEE CHAIRMAN

## Sponsor Statement HB 98

House Bill 98 adds two sub-sections to AS 44 Chapter 09.030 and two new sections, .032 and .034. This legislation will standardize procedures for the display, folding and an additional method for the retirement of our state flag. It is designed to ensure consistent, respectful and appropriate procedures for the handling of our state flag.

As part of Junior Reserve Officers Training Corps (JROTC) curriculum, "Service Learning Project", the cadets of the A. J. Dimond High School JROTC Program realized there were several issues concerning the handling of Alaska's state flag, including statutory omissions. Based on their research, the following three issues were identified and are recommended for inclusion in statute:

1) Proper display of the flag against a wall: Currently there is no specified proper method stipulated for displaying the flag against a wall. This has caused a great deal of confusion and non-uniformity in how institutions are displaying the flag. This lack of guidance has resulted in a random and inconsistent manner of display that shows no respect to our state flag. This legislation would address that by amending AS 44.09.030 with new subsections (d) and (e).

2) Proper folding of the state flag: Currently there is not a method stipulated for folding the flag, so Dimond JROTC opted to fold our state flag in a rectangle. Their motivation for establishing consistency is a passionate belief in the uniqueness of Alaska and a desire to reflect that distinctiveness in the manner we fold our flag. After much trial and error, they developed a technique that is neither complicated nor cumbersome and yet, when done properly, results with the North Star – the defining emblem of our state – being displayed on top of the flag when it is presented to another. The effect is both striking and symbolic. This legislation would address that by adding the new section 44.09.032.

3) Flag Retirement Ceremony: Dimond ROTC also recommended the manner of retirement also needed more ceremony when practicable. They recommended an additional statutory section that encourages that retirement of our state flag be a public ceremony under the direction of uniformed personnel representing a state or national military service or a patriotic society. However, the state flag may still be retired in a private ceremony. Under this legislation the current statute, AS 44.09.030 is amended with a new section .032.

## NOTES TO DECISIONS

**Applied** in *Alaskans for Efficient Gov't, Inc. v. Knowles*, 91 P.3d 273 (Alaska 2004).

**Sec. 44.06.060. Commission.** The legislature shall establish a commission composed of nine members, including a chairperson and two persons from each judicial district, appointed by the governor and confirmed by the legislature, to determine the costs required by initiatives or legislative enactments authorizing relocation of any of the present functions of state government. (§ 3 1994 Ballot Measure No. 5)

## NOTES TO DECISIONS

**Constitutionality.** — This section does not violate Alaska Const., art. XI, § 7, because it does not specify procedural requirements that could be placed upon the initiative process; further, Alaska Const., art. XI, § 6 provides that additional procedures for the initiative and referendum can be prescribed by law. *Alaskans for Efficient Gov't, Inc. v. Knowles*, 91 P.3d 273 (Alaska 2004).

**Appointment of commission.** — The governor is required to appoint a FRANK Commission only if voters first pass the relocation initiative. *Alaskans for Efficient Gov't, Inc. v. Knowles*, 91 P.3d 273 (Alaska 2004).

*Secs. 44.06.100 — 44.06.299. Capital relocation, expenditures, planning. [Repealed, § 1 ch 54 SLA 1981.]*

## Chapter 07. Alaska Capital City Development Corporation.

**Revisor's notes.** — Section 1, ch. 143, SLA 1978 added a new chapter, designated AS 44.63 and renumbered in 1978 as AS 44.07. Chapter 143, however, had a conditional effective date and that condition has never been met. Section 7, ch. 143, SLA 1978 provided that the Act would take "effect 30 days after certification that a bond issue for costs of relocation of the capital has been adopted by the voters of the state." In November 1978, the voters rejected a bond issue for costs of relocation of the capital. Chapter 54, SLA 1981, placed a ballot question before the voters related to the relocation of the capital. At the November

1982 general election that ballot measure failed, and by the conditions of ch. 54, SLA 1981 all other provisions related to capital relocation were repealed. The failure to include the repeal of ch. 143, SLA 1978 may have been intentional, because the law had not gone into effect and, therefore, did not need to be repealed. All other provisions of the Alaska Statutes that would have been affected by ch. 143, SLA 1978 have subsequently been repealed or amended by the legislature. For the text of the law enacted by ch. 143, SLA 1978, see either the 1980 or 1984 pamphlets for this title, or the 1978 Session Laws of Alaska.

## Chapter 08. Relocation Indemnification.

*[Repealed, § 1 ch 54 SLA 1981.]*

## Chapter 09. State Seal, Flag, and Emblems.

### Section

10. State seal
15. Use of seal without permission prohibited
17. Commemorative gold and silver medallions
20. State flag
30. Display and retirement of flags
40. State song
45. State motto
50. State flower
60. State bird
70. State tree

### Section

75. State marine mammal
78. State land mammal
80. State fish
85. State sport
90. State medal for heroism
100. State gem
110. State mineral
120. State fossil
130. State insect
140. State dog

**Sec. 44.09.010. State seal.** The official seal of the State of Alaska is comprised of two concentric circles between which appear the words "The Seal of the State of Alaska" and within the inner circle is the design of the seal corresponding to the representation in this section.



(§ 2 ch 141 SLA 1960)

**Collateral references.** — 68 Am. Jur. 2d, Seals, § 10. 79 C.J.S., Seals, § 1 et seq.

**Sec. 44.09.015. Use of seal without permission prohibited.** (a) A person may not use or make a die or impression of the state seal for any advertising or commercial purpose, unless written permission has first been obtained from the lieutenant governor.

(b) Violation of this section is a misdemeanor, and upon conviction is punishable by a fine of not more than \$500, or by imprisonment for not more than six months, or by both. (§ 1 ch 90 SLA 1968)

**Revisor's notes.** — Formerly AS 11.60.225. Re-numbered in 1978.

#### NOTES TO DECISIONS

**Constitutionality.** — Since a statute forbidding the use of the official state seal "for any advertising or commercial purpose" does not impact any non-commercial use of the seal, and since the state has a legitimate governmental interest in regulating the commercial use of that seal, there was no constitutional bar to the prosecution of the defendant for marketing commemorative coins bearing the seal. *State v. Robart*, 988 P.2d 1114 (Alaska Ct. App. 1999).

**No preemption by federal copyright law.** — Federal copyright law did not preempt this section, as it was clear that states had the power to protect symbols of their sovereignty, state seals appeared to be more akin to trademarks or service marks than they were to the type of work Congress intended copyrights to cover, and it seemed evident that Con-

gress, by protecting specific important federal seals that were left unprotected by copyright law and by federal trademark law, did not intend to prohibit states from protecting seals that represented state sovereignty. *Robart v. State*, 82 P.3d 787 (Alaska Ct. App. 2004), cert. denied, 543 U.S. 940, 125 S. Ct. 310, 160 L. Ed. 2d 249 (2004).

**Jury instructions.** — Instructions given by the judge adequately informed the jury as to what constituted a "writing" under the statute, and as to what "acting reasonably" meant, and from this, defendant was allowed to argue that a letter from the governor, despite its lack of relevant language, was a "writing." *Robart v. State*, 82 P.3d 787 (Alaska Ct. App. 2004), cert. denied, 543 U.S. 940, 125 S. Ct. 310, 160 L. Ed. 2d 249 (2004).

**Sec. 44.09.017. Commemorative gold and silver medallions.** (a) The Department of Administration shall contract or otherwise arrange for the minting and sale of Alaska commemorative medallions minted only from .999 fine gold and silver in weights determined by the commissioner of administration. Gold and silver mined in Alaska shall be used in the production of the medallions. The state shall receive a royalty from the sale of the medallions. The amount of the royalty shall be determined by the commissioner of administration.

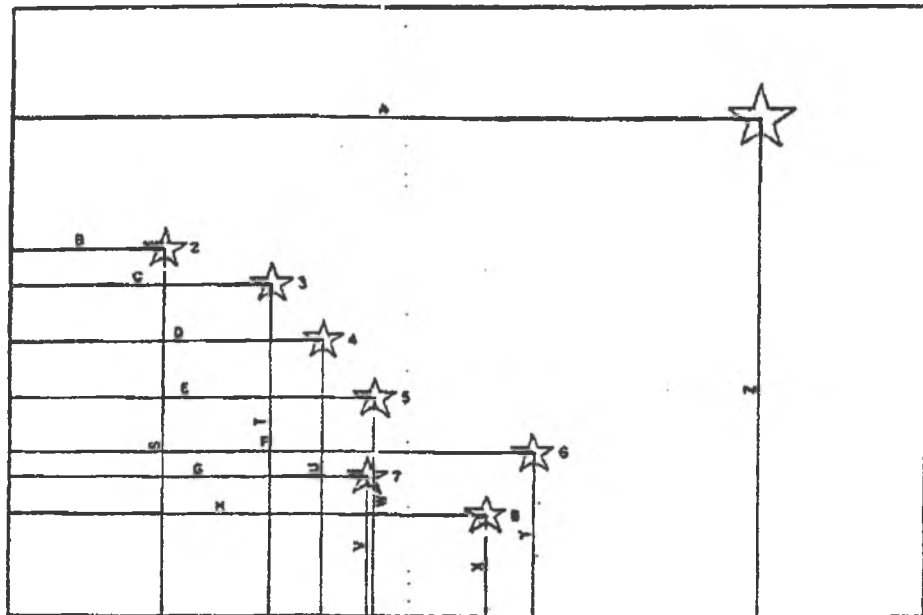
(b) One side of the commemorative medallions minted under this section shall contain the state seal. The design for the other side shall be determined in an annual contest conducted by the contractor under the supervision of the Department of Administration. Only designs using an Alaska theme and submitted by an Alaska resident may be considered in the contest. Payment for the winning design may not exceed \$1,000.

(c) [Repealed, § 35 ch 126 SLA 1994.] (§ 1 ch 2 SLA 1988; am § 35 ch 126 SLA 1994)

**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 represents Alaska, 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:



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	E	W	F	Y	G	V	H	X
1.158	.818	.229	.604	.396	.542	.479	.453	.563	.360	.813	.271	.552	.229	.740	.167

(§ 1-1-4 ACLA 1949; am § 1 ch 29 SLA 1959; am § 1 ch 3 SLA 2007)

**Revisor's notes.** — The official flag described in this section was the winning design of the flag contest held in 1927 by the American Legion, Department of Alaska, in the public, private, and Native schools of the territory.

**Effect of amendments.** — The 2007 amendment, effective June 13, 2007, substituted "represents Alaska" for "and which at some future time will take its place as" in the last sentence of the second paragraph.

**Sec. 44.09.030. Display and retirement 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.

(c) An official flag of the state that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged may be respectfully retired by fire. (§ 1-1-3 ACLA 1949; am § 1 ch 26 SLA 1955; am § 2 ch 3 SLA 2007)

**Effect of amendments.** — The 2007 amendment, effective June 13, 2007, added subsection (c).

**Sec. 44.09.040. State song.** The song "Alaska's Flag," with music composed by Elinor Dusenbury and words by Marie Drake, is the official song of the state. The words of the official song are as follows:

#### Alaska's Flag

Eight stars of gold on a field of blue —  
Alaska's flag. May it mean to you  
The blue of the sea, the evening sky,  
The mountain lakes, and the flow'rs nearby;  
The gold of the early sourdough's dreams,  
The precious gold of the hills and streams;  
The brilliant stars in the northern sky,  
The "Bear" — the "Dipper" — and, shining high,  
The great North Star with its steady light,  
Over land and sea a beacon bright.  
Alaska's flag — to Alaskans dear,  
The simple flag of a last frontier.

(§ 1 ch 6 SLA 1955)

**Sec. 44.09.045. State motto.** The official motto of the State of Alaska is: North to the Future. (§ 1 ch 36 SLA 1967)

**Sec. 44.09.050. State flower.** The wild native forget-me-not is the state flower and floral emblem. (§ 1-1-5 ACLA 1949)

**Sec. 44.09.060. State bird.** The Alaska Willow Ptarmigan (*Lagopus lagopus alascensis* Swarth) is the official bird of the state. (§ 1 ch 1 SLA 1955)

**Sec. 44.09.070. State tree.** The Sitka spruce (*picea sitchensensis*), which is recognized as the most valuable tree species in Alaska and which is found in both national forests of the state, is the official tree of the state. (§ 1 ch 12 SLA 1962)

**Sec. 44.09.075. State marine mammal.** The bowhead whale is the state marine mammal. (§ 2 ch 88 SLA 1983)

**Sec. 44.09.078. State land mammal.** The moose (*Alces alces*) is the state land mammal. (§ 1 ch 17 SLA 1998)

**Sec. 44.09.080. State fish.** The king salmon (*Oncorhynchus tshawytscha*) is the official fish of the state. (§ 1 ch 20 SLA 1963)

**Sec. 44.09.085. State sport.** Dog mushing is the official sport of Alaska. (§ 1 ch 38 SLA 1972)

**Sec. 44.09.090. State medal for heroism.** (a) The governor is authorized to award a state medal for heroism directly or posthumously to any citizen of the state in recognition of a valorous and heroic deed performed in the saving of a life or for injury or death or threat of injury or death incurred in the service of the state or the citizen's community or on behalf of the health, welfare, or safety of other persons. The medal shall be awarded by the governor with an appropriate ceremony.

(b) The governor shall make arrangements for the designing of the medal for heroism through a statewide design competition participated in by the school children of the state. (§ 1 ch 12 SLA 1965)

**Sec. 44.09.100. State gem.** Jade is the official state gem. (§ 1 ch 51 SLA 1968)

**Sec. 44.09.110. State mineral.** Gold is the official state mineral. (§ 1 ch 50 SLA 1968)

**Sec. 44.09.120. State fossil.** The woolly mammoth (*Mammuthus primigenius*) is the official state fossil. (§ 2 ch 31 SLA 1986)

**Cross references.** — For legislative intent, see § 1, ch. 31, SLA 1986, in the Temporary and Special Acts.

**Sec. 44.09.130. State insect.** The four spot skimmer dragonfly is the official state insect. (§ 1 ch 49 SLA 1995)

**Sec. 44.09.140. State dog.** The Alaskan Malamute is the official state dog. (§ 1 ch 17 SLA 2010)

**Effective dates.** — Section 1, ch. 17, SLA 2010, which enacted this section, is effective August 10, 2010.

Alaska State Legislature

Date: June 14, 2010 - Flag Day



## Alaska's Flag Etiquette

Initiated by the A. J. Dimond High School  
Junior Reserve Officers Training Corps

in cooperation with  
Representative Craig Johnson  
Senator Lesil McGuire  
Representative Mia Costello



## Alaska's Flag

Words by Marie Drake and music by Elinor Dusenbury

Eight stars of gold on a field of blue—  
Alaska's flag. May it mean to you  
The blue of the sea, the evening sky,  
The mountain lakes, and the flow'rs nearby;  
The gold of the early sourdough's dreams,  
The precious gold of the hills and streams;  
The brilliant stars in the northern sky,  
The "Bear" —the "Dipper"— and, shining high,  
The great North Star with its steady light,  
O'er land and sea a beacon bright.  
Alaska's flag—to Alaskans dear,  
The simple flag of a last frontier.

Words and Music to  
Alaska's Flag: Copyright 1985  
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## History of the Alaska Flag Project

As part of JROTC curriculum, “Service Learning Project”, the cadets of the A. J. Dimond High School Junior Reserve Officers Training Corps (JROTC) Program realized there were several issues concerning the handling of Alaska’s state flag. While doing research during the 2009 school year for a flag retirement ceremony JROTC became aware of omissions from state statutes governing Alaska’s flag. The following three items are recommended for inclusion in statute:

1. There is no proper method stipulated for displaying the flag against a wall. This has caused a great deal of confusion and non-uniformity in how institutions are displaying the flag. This lack of guidance has resulted in a random and inconsistent manner of display that shows no respect to our state flag.
2. Since there is no proper method stipulated for folding the flag, they opted to fold our state flag in a rectangle. Part of the motivation is a passionate belief in the uniqueness of Alaska and a desire to reflect that distinctiveness in how we fold our flag. After much trial and error, they developed a technique that is neither complicated or cumbersome and yet, when done properly, results with the North Star – the defining emblem of our state – being displayed on top of the flag when it is presented to another.
3. The manner of retirement needed more ceremony. They felt that it should be encouraged that retirement of the state flag be a public ceremony under the direction of uniformed personnel representing a state or national military service or a patriotic society. However, as in the current statute, the state flag may be retired in a private ceremony.



Just as the United States has a thorough flag code, this booklet proposes putting in a more valid and descriptive flag etiquette code for the State of Alaska.

This in turn would remedy the confusion of how to display the state flag in numerous situations, fold the flag and dispose of a flag to create uniformity throughout our public and governmental institutions.

The local chain of command for this project is:

- Senior Army Instructor MSG Shelley, LET 2s, 3s & 4s
- Army Instructor MSG Watts, LET 2s & 3s
- Army Instructor SFC Ortiz, LET 1s
- And the Battalion Command Students

### **Eight Stars of Gold: The Story of Alaska's Flag**

*"The story of Alaska's flag is a unique and important part of 20th century Americana. What began in 1927 as a flag design contest resulted in the remarkable story of 13-year old Benny Benson and how his winning entry provided a flag for Alaska and a symbol of independence during the statehood campaign. Benny's design was simple yet elegant: eight stars of gold in the shape of the Ursa Major constellation (the Big Dipper) set against a deep blue backdrop representing Alaska's sky and forget-me-not flower. Benny's creation helped designate the forget-me-not as the Alaska state flower. This inspired Marie Drake to write a poem and, later, Elinor Dusenbury to set it to music and create Alaska's official song: Alaska's Flag."*

India Spartz, Guest Curator  
Alaska State Museums



**DISPLAY STATE FLAG MOUNTED ON FLAGSTAFF**

- (a) If the state flag is mounted on a flagstaff:
    - (1) the flag should be attached at the peak of the staff;
    - (2) the staff should be at least 2-1/2 times as long as the flag's hoist; and
    - (3) if the staff has a finial, the finial should be a spearhead or a spade.
  - (b) If the state flag is permanently mounted on a flagstaff:
    - (1) the flag may be decorated with gold fringe.
- 

**DISPLAY OUTDOORS**

- (a) The state flag should not normally be displayed outdoors before sunrise or after sunset.
  - (b) For patriotic effect, the state flag may be displayed outdoors:
    - (1) 24 hours a day, if properly illuminated during darkness; or
    - (2) in the same circumstances that the flag of the United States may be displayed.
  - (c) 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.
- 

**DISPLAY ON FLAGPOLE OR FLAGSTAFF  
WITH OTHER FLAG: IN GENERAL**

- (a) A flag or pennant, other than the flag of the United States, displayed with the state flag:
  - (1) should not be above the state flag; or
  - (2) if the other flag or pennant is at the same height as the state flag, it should not be, from the perspective of an observer, to the left of the state flag.



**DISPLAY ON FLAGPOLE OR FLAGSTAFF WITH  
FLAG OF UNITED STATES**

(a) If it is necessary for the state flag and the flag of the United States to be displayed on the same flagpole or flagstaff, the United States flag should be above the state flag.

(b) If the state flag and the flag of the United States are displayed on flagpoles or flagstuffs at the same location:

- (1) the flags should be displayed on flagpoles or flagstuffs of the same height;
  - (2) the flags should be of approximately equal size;
  - (3) the flag of the United States should be, from the perspective of an observer, to the left of the state flag;
  - (4) the flag of the United States should be hoisted before the state flag is hoisted; and
  - (5) the state flag should be lowered before the flag of the United States is lowered.
- 

**DISPLAY ON FLAGPOLE OR FLAGSTAFF  
WITH FLAGS OF MUNICIPALITIES, OR  
LOCALITIES, OR ORGANIZATIONS**

(a) If the state flag is displayed on a flagpole or flagstaff with a group of flags or pennants of municipalities, localities, or organizations that are displayed on flagpoles or flagstuffs, the state flag should be at the center and at the highest point of the group.

(b) If the state flag is displayed on the same halyard as a flag or pennant of a municipality, locality, or organization, the state flag should be at the peak.

(c) If the state flag and the flag or pennant of a municipality, locality, or organization are displayed on adjacent flagpoles or flagstuffs:

- (1) the state flag should be to the left of the flag or pennant of the municipality, locality, or organization;
- (2) the state flag should be hoisted before the flag or pennant of the municipality, locality, or organization is hoisted; and
- (3) the flag or pennant of the municipality, locality, or organization should be lowered before the state flag is lowered.



**DISPLAY ON FLAGPOLE OR FLAGSTAFF WITH  
FLAGS OF OTHER NATIONS, OR INTERNATIONAL  
ORGANIZATIONS.**

(a) If the state flag is displayed with the flag of another of a nation other than the United States, or of an international organization:

(1) the nation's or international organization's flag should be to the left of the state flag;

(2) the state flag should not be above the other flag on the same flagpole or flagstaff or on a taller flagpole or flagstaff than the flagpole or flagstaff on which the other flag is displayed.

(b) This section does not apply to the United States, including the armed services, if federal custom or practice requires another manner of display.

---

**DISPLAY WITH OTHER FLAG ON  
CROSSED FLAGSTAFFS**

(a) If the state flag is displayed with another flag, other than the flag of the United States, against a wall on crossed flagstaffs, the state flag should:

(1) be, from the perspective of an observer, to the left of the other flag; and

(2) have its flagstaff in front of the flagstaff of the other flag.

(b) If the state flag and the flag of the United States are displayed against a wall on crossed flagstaffs, the state flag should:

(1) be, from the perspective of an observer, to the right of the flag of the United States; and

(2) have its flagstaff behind the flagstaff of the United States flag.



**DISPLAY ON FLAGPOLE OR FLAGSTAFF WITH  
FLAGS OF OTHER STATES**

(a) If the state flag is displayed with the flag of another state of the United States the state flag:

(1) should be, from the perspective of an observer, to the left of the other flag on a separate flagpole or flagstaff.

---

**DISPLAY HORIZONTAL AND VERTICAL**

(a) Horizontal display of the flag shows the North Star in the upper right corner

(b) Vertical display of the flag shows the hoist to the top and the North Star to the right of the observer's frontal view.

---

**DISPLAY FROM OR IN A BUILDING**

(a) If the state flag is displayed from a flagstaff that projects horizontally or at an angle from a building, the top of the flag should be placed at the peak of the staff unless the flag is at half staff.

(b) If the state flag is suspended over a sidewalk from a rope that extends from a building to a pole at the edge of a sidewalk, the flag should be hoisted from the building so the North Star is nearest to the pole.

(c) If the state flag is suspended across a corridor or lobby in a building that has only one main entrance, the flag should be suspended vertically with the hoist at the top and the North Star to the right of the observer entering the building. If the building has more than one main entrance, the state flag should be suspended vertically near the center of the corridor or lobby. If the entrances are on the east and west faces of the building, the North Star should be to the east. If the entrances are on the north and south faces of the building the North Star should be to the east. If the entrances on more than two faces of the building the North Star should be to the east.

(d) If the state flag is displayed in a window, the North Star should be on the right side from the perspective of an observer who is outside the window.



### **DISPLAY OVER A STREET**

(a) If the state flag is displayed over a street, the flag should be suspended vertically with the hoist on top. If the street is an east-west street the North Star should be south. If the street is a north-south street the North Star should be east.

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### **DISPLAY ON SPEAKER'S PLATFORM**

(a) If the state flag is displayed flat on a speaker's platform, the flag should be displayed above and behind the speaker.

(b) If the state flag and the flag of the United States are displayed on a speaker's platform, the state flag should be, from the perspective of an observer, to the right of the United States flag.

---

### **DISPLAY ON A CASKET**

(a) If the state flag is used to cover a casket, the flag should be placed so that:

- (1) the hoist is at the head of the casket; and
- (2) the North Star is over the left side of the casket looking head to toe.

(b) The state flag should not be lowered in the grave or allowed to touch the ground.

---

### **CARRYING IN PROCESSION WITH OTHER FLAGS.**

(a) If the state flag is carried in a procession with another flag, other than the flag of the United States, the state flag should be on the marching right. If there is a line of other flags in the procession, the state flag should be in front of the center of that line.

(b) If the flag of the United States is carried in a procession with the state flag, the flag of the United States should be on the marching right.



**CARRYING OF STATE FLAG: IN GENERAL**

(a) The state flag should, when practicable, be carried aloft and free, not flat or horizontally.

---

**FOLDING THE STATE FLAG FOR PRESENTATION:**

(a) When folding the state flag, the following procedure shall be followed, whenever possible:

(1) hold flag waist-high with an assistant, so that the flag is parallel to the ground and the hoist is on the left; the North Star in the upper right corner from an observer's view;

(2) fold the flag lengthwise with the open edge up;

(3) folding edges securely, rotate the flag so that five stars are facing up;

(4) fold the flag lengthwise a second time, with the open edge up;

(5) folding the edges securely, rotate the flag so that two stars are facing up;

(6) fold the flag widthwise, with the North Star facing down and the hoist on the right;

(7) holding the edges securely, fold the flag widthwise a second time, with the North Star facing down and the hoist on the right;

(8) fold the flag widthwise a third time, with the North Star facing up.

(b) When presenting the folded flag to another person, the folded flag should be turned so that the North Star is nearest the receiver.

(See Illustrations, pages 12 and 13)

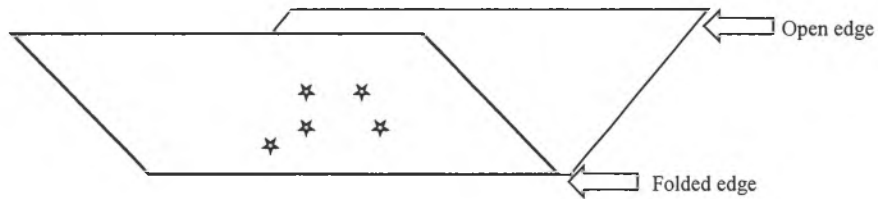


### Step 1



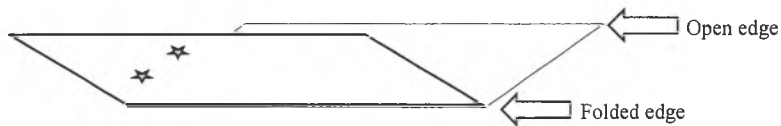
To properly fold the Flag, begin holding the flag waist-high with another person, so that the flag is parallel to the ground and the hoist is on the left; the North Star is in the upper right corner from the observer's frontal view.

### Step 2



Fold the flag lengthwise with the open edge up. Holding edges securely, rotate the flag so that five stars are facing up.

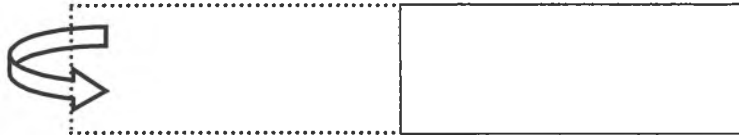
### Step 3



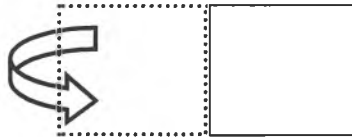
Fold the flag lengthwise a second time, with the open edge up. Holding the edges securely, rotate the flag so that two stars are facing up.

### Steps 4, 5, 6 and 7

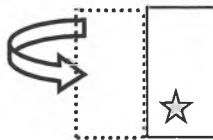
Fold the flag widthwise, with the North Star facing down and the hoist on the right.



Holding the edges securely, fold the flag widthwise a second time, with the North Star facing down and the hoist on the right.



Fold the flag widthwise a third time, with the North Star facing up.



When presenting the folded flag to another person, the folded flag should be turned so that the North Star is nearest the receiver.



### **DISPLAY LIMITATIONS**

(a) The state flag should not:

- (1) touch anything beneath it, including the ground or floor;
- (2) be dipped to any person or thing, except as a mark of honor for the United States flag;
- (3) trail in water;
- (4) have placed on any part of it, or attached to it, any mark, word, figure, design, picture, device or drawing;
- (5) be used or stored in a manner in which it can easily be soiled or damaged;
- (6) be used as a receptacle for receiving, holding, carrying, or delivering anything;
- (7) be displayed on a float in a parade, except from a staff or in the manner provided by horizontal or vertical section of this statute
- (8) be draped over the hood, top, side, or back of any motor vehicle, train, boat, or aircraft;
- (9) be used as bedding, clothing, drapery or used as bunting;
- (10) be festooned or drawn back or up in folds, but instead allowed to fall free; or
- (11) be used as a covering for a ceiling.

(b) Advertising should not be fastened to a flagpole, flagstaff, or halyard on which the state flag is displayed.

---

### **STATE FLAG AS FEATURE OF UNVEILING CEREMONY**

(a) The state flag should form a distinctive feature of the ceremony of unveiling a statue or monument.

(b) The state flag should not be used as the covering for the statue or monument.



**HOISTING AND LOWERING; PASSING  
IN PARADE OR REVIEW**

(a) The state flag should be hoisted briskly and lowered ceremoniously.

(b) During the ceremony of hoisting or lowering the state flag or if the flag is passing in a parade or in review:

(1) each citizen of this state who is present and not in uniform should:

(a) face the state flag and stand at attention with the person's right hand over the heart ; and

(b) if wearing a head covering that is easy to remove, remove the head covering with the right had and hold it at the person's left shoulder, with the person's hand over the heart;

(2) each person who is present and in uniform should make a military salute; and

(3) each person who is present but not a citizen of this state should stand at attention.

(c) The salute to the state flag in a moving column shall be made at the moment the state flag passes that person.

---

**RETIREMENT OF STATE FLAG  
MANNER OF RETIREMENT**

(a) If a state flag is no longer useful due to fading, damage or wear and tear it should be destroyed by burning, in a ceremony or dignified way that emphasizes its honor as a fitting symbol for this state.

(b) It is recommended that retirement of the state flag be a public ceremony under the direction of uniformed personnel representing a state or national military service or a patriotic society, but the state flag may be retired in a private ceremony.



Alaska Association of Secondary School Principals P.O. Box 83530 Fairbanks, AK 99708

### **AASSP Resolution in Support of the Dimond HS JROTC Flag Project**

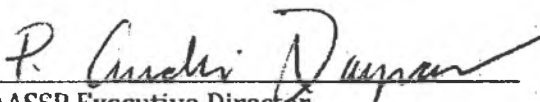
Whereas Alaska statutes that govern the state flag currently contain no instruction on how to fold the flag, and

Whereas Dimond HS ROTC cadets have identified a lack of uniformity in how schools hang the flag against a wall (some hang with the North Star to the right, and some to the left), and

Whereas the cadets have identified a need for uniformity and procedures for handling and hanging the flag as part of their "service learning project" that is part of the JROTC curriculum, and

Whereas the cadets are prepared to research this issue, produce recommendations and seek a sponsor to introduce legislation to correct the current omissions in Alaska law by proposing legislation to amend the statutes,

Now therefore be it resolved that the Board of Directors of the Alaska Association of Secondary School Principals expresses its interest in and support for this project of the Dimond HS JROTC.

  
AASSP Executive Director  
Andre' Layral

7-31-2010  
July 31, 2010

  
AASSP President  
Alan Fields

7-31-10  
July 31, 2010

# FISCAL NOTE

**STATE OF ALASKA**  
**2011 LEGISLATIVE SESSION**

Fiscal Note Number \_\_\_\_\_  
 Bill Version HB 098  
 ( ) Publish Date \_\_\_\_\_

Identifier (file name): HB098-DMVA-NGMH-2-14-11  
 Title Handling of State Flag  
 Sponsor Johnson, Hawker  
 Requester State Affairs Committee  
 Dept. Affected Military & Veterans Affairs  
 Appropriation Military & Veterans Affairs  
 Allocation National Guard Military Headquarters  
 OMB Component Number 9

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
<b>TOTAL OPERATING</b>		0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL EXPENDITURES</b>								
<b>CHANGE IN REVENUES</b>								

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
<b>TOTAL</b>		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost 0.0

**POSITIONS**

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial fiscal note.

Prepared by Susan Colligan, Director Administrative Services  
 Division National Guard Military Headquarters, Dept of Military and Veterans Affairs  
 Approved by McHugh Pierre, Deputy Commissioner, Dept of Military and Veterans Affairs

Phone (907) 428-6881  
 Date/Time 2/14/11 10:00 AM  
 Date 2/14/2011

FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

BILL NO. HB 098

**Analysis**

There is no fiscal impact.

# ALASKA STATE LEGISLATURE



**Interim:**  
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Anchorage, Alaska 99501  
Phone (907) 269-0200  
Fax (907) 269-0204  
Rep.Craig.Johnson@legis.state.ak.us

**Session:**  
State Capitol Building  
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99801-1182  
Phone (907) 465-4993  
Fax (907) 465-3872

REPRESENTATIVE CRAIG JOHNSON  
RULES COMMITTEE CHAIRMAN

**To:** Representative Bob Lynn, Chair  
House State Affairs Committee

**From:** Representative Craig Johnson 

**Date:** February 1, 2011

**Subject:** Request for Hearing

---

I respectfully request that HB 98, relating to display, folding, presentation, and retirement of the state flag be scheduled for a hearing in the House State Affairs Committee.

We will need to be teleconferenced and have a video connection to the Anchorage Legislative Information conference room so the Dimond High School Junior Reserve Officers Training Corps. can do a demonstration folding the state flag.

Please feel free to contact me, or my aide, Jeanne Ostnes, with questions or thoughts at 465-6871.