IN THE HOUSE BY THE SENATE RESOURCES COMMITTEE

SENATE CS FOR HOUSE BILL NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the identification of authentic Native articles of handicraft made in Alaska; and providing for an effective date."

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

Section 1. Any person who possesses an authentic Native article of handicraft made in Alaska may obtain, in the manner provided by this Act, an identification seal to identify the article as being the product of an authentic Alaska Native handicraft. The identification seal may be affixed only to authentic Native articles of handicraft made in Alaska.

Sec. 2. The commissioner of commerce is responsible for the administration of this Act, including the design, method of affixing, preparation, issuance, and control of identification seals; the issuance of permits to agents to distribute the seals; the supervision of the use of the seals; and the enforcement of the civil and criminal provisions of this Act.

Sec. 3. The commissioner of commerce shall prepare and design the identification seal with a distinctive design bearing (1) the words "An Authentic Alaskan Native Craft Made in Alaska," (2) a letter symbol to designate the area within the state in which the article was produced, and (3) a number to designate the agent in the area who authorized the use of the label.

Sec. 4. Any resident of the state may apply to the

commissioner of commerce for a permit as agent to issue identification seals within the state only. The commissioner of commerce may examine or investigate an applicant to determine whether the applicant has sufficient knowledge of the handicrafts, customs, and populace of the area in which he resides to identify authentic articles of handicraft, and may issue permits to qualified applicants. Permits shall be issued without charge. The commissioner of commerce shall prescribe the form of the application and permit, the period for which the permit is to be valid, and the procedure for renewal of the permit. He may suspend or revoke the permit in the manner provided in Chapter 2, Alaska Administrative Procedure Act.

Sec. 5. Any person may present an article of handicraft to an agent for a seal. The agent shall, without charge, inspect and determine if the article is an authentic Native article of handicraft. If he determines it is authentic, he shall, without charge, affix the seal.

Sec. 6. As used in this Act, unless the context otherwise requires:

(1) "Native" means any resident Eskimo, Aleut, or Indian possessing not less than one-quarter Eskimo, Aleut, or Indian blood;

(2) "authentic Native article of handicraft" means any article made in Alaska which is composed wholly, or in some significant respect, of natural materials, and which is produced, decorated, or fashioned by a Native in the exercise of a traditional Native handicraft without the use of a pantograph, a multiple carver, or any similar mass production device. Traditional Native handicrafts include but are not limited to weaving,

carving, stitching, lacing, beading, drawing, and painting.

Sec. 7. a. Any person who knowingly or wilfully affixes or attaches the identification seal provided for in this Act to an article, knowing that it is not an authentic Native article of handicraft, is guilty of a misdemeanor, and upon conviction is punishable by a fine not to exceed $1,000.00, or imprisonment for a term not to exceed one year, or by both the fine and imprisonment.

b. Any person who knowingly or wilfully sells or offers for sale an article with the seal affixed or attached, knowing that the article is not an authentic Native article of handicraft, is guilty of a misdemeanor, and upon conviction is punishable by a fine not to exceed $1,000.00, or imprisonment for a term not to exceed one year, or by both the fine and imprisonment.

c. Any person who wilfully alters, changes, or counterfeits the identification seal is guilty of a misdemeanor, and upon conviction is punishable by a fine not to exceed $1,000.00, or imprisonment for a term not to exceed one year, or by both the fine and imprisonment.

d. Any agent who refuses to authorize the placement of the identification seal on any article for any reason other than that the article is not an authentic Native article of handicraft made in Alaska is guilty of a misdemeanor, and upon conviction is punishable by a fine not to exceed $1,000.00, or imprisonment for a term not to exceed one year, or by both the fine and imprisonment.

Sec. 8. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.