

Introduced: 3/24/71  
Referred: Commerce

1 IN THE HOUSE

BY DEGNAN AND FERGUSON

2 HOUSE BILL NO. 344

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the retail sale of authentic and  
7 imitation articles of Native handicraft."

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

9 \* Section 1. AS 45.65 is amended by adding a new section to read:

10 Sec. 45.65.055. DUTY OF MERCHANT TO DESIGNATE IMITATIONS. A  
11 merchant selling or offering for sale imitation articles of Native  
12 handicraft shall clearly designate the articles as imitations by  
13 attaching to each article a tag or label containing only the words  
14 "An Imitation Alaskan Native Craft". The words on the tag or label  
15 shall be in not less than 14-point type. If imitation articles of  
16 Native handicraft can be clearly designated as imitations by the use  
17 of a display card, then instead of tagging or labeling each article,  
18 the merchant may designate the imitation articles with a printed  
19 display card in letters of not less than one and one-half inches in  
20 height containing only the words "Imitation Alaskan Native Craft".  
21 The display card shall be prominently displayed and at all times  
22 maintained to designate the imitation articles of Native handicraft.

23 \* Sec. 2. AS 45.65.030(3) is amended to read:

24 (3) a number to designate the agent in the area who author-  
25 ized the use of the seal [LABEL].

26 \* Sec. 3. AS 45.65.060 is amended by adding a new subsection to read:

27 (d) A person who knowingly or wilfully displays, sells or offers  
28 for sale an article which is an imitation article of Native handicraft  
29 and which is not designated as an imitation in accordance with sec. 55

1 of this chapter, is guilty of a misdemeanor, and upon conviction is  
2 punishable by a fine of not more than \$1,000, or by imprisonment for  
3 not more than one year, or by both.

4 \* Sec. 4. AS 45.65.070 is amended by adding new paragraphs to read:

5 (3) "imitation article of Native handicraft" means a doll,  
6 ring, necklace, earrings, cuff links, tie clasp, tie bar, bracelet,  
7 choker, pin, pendant, barrette, bolo tie, belt, belt buckle, carving  
8 from any material, beaded item from any material, drawing, painting,  
9 parka, mukluk, skin clothing, basket or any other traditional article  
10 of Native handicraft which is

11 (A) made by machine;

12 (B) made either wholly or in some significant respect  
13 out of synthetic or artificial materials;

14 (C) not made in Alaska by Native labor or workmanship;

15 (4) "identification seal" or "seal" means a seal which  
16 identifies an article as being the product of authentic Native handi-  
17 craft;

18 (5) "merchant" means a person engaged in the retail sale to  
19 the public of imitation or authentic articles of Native handicraft and  
20 who represents them to be of Alaska Native style, origin or design;  
21 this representation is presumed if the person uses the word "Native",  
22 "Native trader", "Native curios" or the name of a Native tribe in the  
23 name of the business, in advertising the business, or in advertising,  
24 labeling or identifying any articles sold by the person.  
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