

Introduced: 1/20/77
Referred: Commerce

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 *RCS* HOUSE BILL NO. 81 *am*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to identification seal of Native
7 crafts."

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

9 * Section 1. AS 45.65.020 is amended to read:

10 Sec. 45.65.020. COMMISSIONER [OF COMMERCE] TO ADMINISTER SECS.
11 10 - 70 OF THIS CHAPTER. The commissioner [OF COMMERCE] is responsible
12 for the administration of secs. 10 - 70 of this chapter, including (1)
13 the design, method of affixing, preparation, issuance, and control of
14 identification seals; (2) the issuance of permits to agents to distri-
15 bute the seals; (3) the supervision of the use of the seals; and (4)
16 the enforcement of the civil and criminal provisions of secs. 10 - 70
17 of this chapter.

18 * Sec. 2. AS 45.65.030 is amended to read:

19 Sec. 45.65.030. COMMISSIONER [OF COMMERCE] TO PREPARE IDENTIFI-
20 CATION SEAL. The commissioner [OF COMMERCE] shall prepare and design
21 the identification seal with a distinctive design bearing (1) the
22 words "An Authentic Alaskan Native Craft Made in Alaska"; (2) a letter
23 symbol to designate the area within the state in which the article was
24 produced; and (3) a number to designate the agent in the area who
25 authorized the use of the label.

26 * Sec. 3. AS 45.65.040 is amended to read:

27 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resi-
28 dent of the state may apply to the commissioner [OF COMMERCE] for a
29 permit as agent to issue identification seals within the state. The

1 commissioner [OF COMMERCE] may examine or investigate an applicant to
2 determine whether the applicant has sufficient knowledge of the handi-
3 crafts, customs, and populace of the area in which he resides to
4 identify authentic articles of handicraft, and may issue permits to
5 qualified applicants. Permits shall be issued without charge. The
6 permit may limit the authority of the agent to a certain geographical
7 area or to a particular type of handicraft. The commissioner [OF
8 COMMERCE] shall prescribe the form of the application and permit, the
9 period for which the permit is valid, and the procedure for renewal of
10 the permit. He may suspend or revoke the permit in the manner provided
11 in art. 8 of the Administrative Procedure Act (AS 44.62.330 - 44.62.-
12 630). Native craftspeople may apply to the commissioner for a special
13 craftsperson permit. The commissioner shall ascertain whether the
14 applicant is a Native Alaskan engaged in arts and crafts production.
15 If this is the case, the craftsperson shall be issued a permit to use
16 seals on his or her own crafts products.

17 * Sec. 4. AS 45.65.050 is amended to read:

18 Sec. 45.65.050. AFFIXING SEALS TO NATIVE HANDICRAFT. A maker
19 having obtained a permit may place seals on articles manufactured by
20 himself. Other craftspeople may present an article of handicraft to
21 an agent for a seal. The agent shall, without charge, inspect and
22 determine if the article is an authentic Native article of handicraft.
23 If he determines it is authentic, he shall, without charge, affix the
24 seal.

25 * Sec. 5. AS 45.65.060 is amended to read:

26 Sec. 45.65.060. PENALTIES. (a) A person who knowingly or wil-
27 fully affixes or attaches the identification seal provided for in
28 secs. 10 - 70 of this chapter to an article, knowing that it is not an
29 authentic Native article of handicraft, is guilty of a misdemeanor,

1 and upon conviction is punishable by a fine of not more than \$5,000
2 [\$1,000], or by imprisonment for not more than one year, or by both.

3 (b) A person who knowingly or wilfully sells or offers for sale
4 an article with the seal affixed or attached, knowing that the article
5 is not an authentic Native article of handicraft, is guilty of a mis-
6 demenor, and upon conviction is punishable by a fine of not more than
7 \$5,000 [\$1,000], or by imprisonment for not more than one year, or by
8 both.

9 (c) A person who wilfully alters, changes, or counterfeits the
10 identification seal is guilty of a misdemeanor, and upon conviction is
11 punishable by a fine of not more than \$5,000 [\$1,000], or by imprison-
12 ment for not more than one year, or by both.

13 * Sec. 6. AS 45.65.070 is amended by adding a new paragraph to read:

14 (3) "commissioner" means the commissioner of commerce and
15 economic development.
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