

Introduced: 1/20/77
Referred: Commerce

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
BY REQUEST OF THE GOVERNOR

2 HOUSE BILLS NO. 81 am S

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 seals [SEAL] with a distinctive design bearing
22 (1) the words "An Authentic Resident Alaskan Craft Made in Alaska",
23 "An Authentic Alaskan Indian Craft Made in Alaska", "An Authentic
24 "Alaskan Eskimo Craft Made in Alaska" and "An Authentic Alaskan Aleut
25 "Craft Made in Alaska"; ["AN AUTHENTIC ALASKAN NATIVE CRAFT MADE IN
26 ALASKA"] (2) A letter symbol and color change to designate the area
27 within the state in which the article was produced; and (3) a number
28 to designate the agent or permittee in the area who authorized the
29 use of the label.

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

2 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resi-
3 dent of the state may apply to the commissioner [OF COMMERCE] for a
4 permit as agent to issue identification seals within the state. The
5 commissioner [OF COMMERCE] may examine or investigate an applicant to
6 determine whether the applicant has sufficient knowledge of the handi-
7 crafts, customs, and populace of the area in which he resides to
8 identify authentic articles of handicraft, and may issue permits to
9 qualified applicants. Permits shall be issued without charge. The
10 permit may limit the authority of the agent to a certain geographical
11 area or to a particular type of handicraft. The commissioner [OF
12 COMMERCE] shall prescribe the form of the application and permit, the
13 period for which the permit is valid, and the procedure for renewal of
14 the permit. He may suspend or revoke the permit in the manner provided
15 in art. 8 of the Administrative Procedure Act (AS 44.62.330 - 44.62.-
16 630). Native craftspeople may apply to the commissioner for a special
17 craftsperson permit. The commissioner shall ascertain whether the
18 applicant is an Alaskan resident engaged in arts and crafts production.
19 If this is the case, the craftsperson shall be issued a permit to use
20 seals on his or her own crafts products.

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

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

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

1 Sec. 45.65.060. PENALTIES. (a) A person who knowingly or wil-
2 fully affixes or attaches the identification seal provided for in
3 secs. 10 - 70 of this chapter to an article, knowing that it is not an
4 authentic Native article of handicraft, is guilty of a misdemeanor,
5 and upon conviction is punishable by a fine of not more than \$5,000
6 [\$1,000], or by imprisonment for not more than one year, or by both.

7 (b) A person who knowingly or wilfully sells or offers for sale
8 an article with the seal affixed or attached, knowing that the article
9 is not an authentic Native article of handicraft, is guilty of a mis-
10 demeanor, and upon conviction is punishable by a fine of not more than
11 \$5,000 [\$1,000], or by imprisonment for not more than one year, or by
12 both.

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

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

18 (3) "commissioner" means the commissioner of commerce and
19 economic development.
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