

Original sponsor: Rules Committee by request
of the Governor

Offered: 5/12/77

1 IN THE HOUSE

BY THE FREE CONFERENCE COMMITTEE

2 FREE CONFERENCE CS FOR HOUSE BILL NO. 81

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) the
16 enforcement of the civil and criminal provisions of secs. 10 - 70 of
17 this chapter.

18 * Sec. 2. AS 45.65.030 is repealed and re-enacted to read:

19 Sec. 45.65.030. COMMISSIONER TO PREPARE IDENTIFICATION SEAL. (a)
20 The commissioner shall prepare and design

21 (1) identification seals with a distinctive design bearing
22 the words "An Authentic Resident Alaskan Craft Made in Alaska" which may
23 not include the silver hand symbol; and

24 (2) identification seals incorporating the silver hand symbol
25 and bearing the words "An Authentic Alaskan Indian Craft Made in Alaska",
26 "An Authentic Alaskan Eskimo Craft Made in Alaska" or "An Authentic
27 Alaskan Aleut Craft Made in Alaska".

28 (b) The seals shall have a letter symbol and color change to
29 designate the area within the state in which the article was produced,

1 and a number to designate the agent or permittee in the area who autho-
2 rized the use of the label.

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

4 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resident
5 of the state may apply to the commissioner [OF COMMERCE] for a permit
6 as agent to issue identification seals within the state. The commis-
7 sioner [OF COMMERCE] may examine or investigate an applicant to deter-
8 mine whether the applicant has sufficient knowledge of the handicrafts,
9 customs, and populace of the area in which he resides to identify
10 authentic articles of handicraft, and may issue permits to qualified
11 applicants. Permits shall be issued without charge. The permit may
12 limit the authority of the agent to a certain geographical area or to a
13 particular type of handicraft. The commissioner [OF COMMERCE] shall
14 prescribe the form of the application and permit, the period for which
15 the permit is valid, and the procedure for renewal of the permit. He
16 may suspend or revoke the permit in the manner provided in art. 8 of the
17 Administrative Procedure Act (AS 44.62.330 - 44.62.630). Native crafts-
18 people may apply to the commissioner for a special craftsperson permit.
19 The commissioner shall ascertain whether the applicant is an Alaskan
20 resident engaged in arts and crafts production. If this is the case,
21 the craftsperson shall be issued a permit to use seals on his or her own
22 crafts products.

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

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

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

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

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

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

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

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