

Introduced: 2/8/78
Referred: Commerce

1 IN THE HOUSE

BY DUNCAN

2 *SCS* HOUSE BILL NO. 756

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the identification of Alaska arts
7 and handicrafts."

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

9 * Section 1. AS 45.65.010 is amended to read:

10 Sec. 45.65.010. IDENTIFICATION SEAL FOR [NATIVE] HANDICRAFTS [HAN-
11 DICRAFT]. A person who makes an authentic article of [NATIVE] handi-
12 craft in the state may obtain an identification seal as specified in
13 sec. 30 of this chapter to identify the article [AS BEING THE PRODUCT OF
14 AUTHENTIC NATIVE HANDICRAFT]. The identification seal may be affixed
15 only to authentic articles of [NATIVE] handicraft made in the state.

16 * Sec. 2. AS 45.65.020 is amended to read:

17 Sec. 45.65.020. COMMISSIONER TO ADMINISTER SECS. 10 - 70 OF THIS
18 CHAPTER. The commissioner is responsible for the administration of
19 secs. 10 - 70 of this chapter, including (1) subject to sec. 30 of this
20 chapter, the design, method of affixing, preparation, issuance, and
21 control of identification seals and documents; (2) the issuance of per-
22 mits to agents to distribute the seals and documents; (3) the super-
23 vision of the use of the seals and documents; and (4) the enforcement of
24 the civil and criminal provisions of secs. 10 - 70 of this chapter.

25 * Sec. 3. AS 45.65.030 is repealed and re-enacted to read:

26 Sec. 45.65.030. DESIGN OF IDENTIFICATION SEALS AND ACCOMPANYING
27 DOCUMENTS. (a) The official Native handicraft symbol is the silver
28 hand symbol. It shall bear the words: "Authentic Native Handicraft from
29 Alaska", and include a blank line for the artist's name and the place

1 of origin of the article. If space permits on the seal, or, if not, in
2 an accompanying document, it shall also state: "This silver hand symbol
3 is your guarantee that this is a genuine article, made in Alaska, hand-
4 crafted and finished by an Alaskan Native artist or craftsman. Where
5 possible, only Alaskan materials have been used to create this article,
6 and to a great extent only traditional Native methods have been used."

7 (b) The official non-Native resident handicraft symbol is a design
8 of the official Alaska flag in blue and gold. It shall bear the words:
9 "Authentic handicraft from Alaska", and include a blank line for the
10 artist's name and the place of origin of the article. If space permits
11 on the seal, or, if not, in an accompanying document, it shall also
12 state: "This symbol is your guarantee this is a genuine article, made
13 in Alaska, hand-crafted by an Alaska resident artist or craftsman.
14 Where possible, only Alaskan materials have been used to create this
15 article."

16 * Sec. 4. AS 45.65.040 is amended to read:

17 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resident
18 of the state may apply to the commissioner for a permit as agent to
19 issue identification seals and documents in the state. The commissioner
20 may examine or investigate an applicant to determine whether the appli-
21 cant has sufficient knowledge of the handicrafts, customs, and populace
22 of the area in which he resides to identify authentic articles of handi-
23 craft, and may issue permits to qualified applicants. Permits shall be
24 issued without charge. The permit may limit the authority of the agent
25 to a certain geographical area or to a particular type of handicraft.
26 The commissioner shall prescribe the form of the application and permit,
27 the period for which the permit is valid, and the procedure for renewal
28 of the permit. [HE MAY SUSPEND OR REVOKE THE PERMIT IN THE MANNER PRO-
29 VIDED IN ART. 8 OF THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62.330 -

1 44.62.639). NATIVE CRAFTSPEOPLE MAY APPLY TO THE COMMISSIONER FOR A
2 SPECIAL CRAFTSPERSON PERMIT. THE COMMISSIONER SHALL ASCERTAIN WHETHER
3 THE APPLICANT IS AN ALASKAN RESIDENT ENGAGED IN ARTS AND CRAFTS PRODUC-
4 TION. IF THIS IS THE CASE, THE CRAFTSPERSON SHALL BE ISSUED A PERMIT TO
5 USE SEALS ON HIS OWN CRAFTS PRODUCTS.]

6 * Sec. 5. AS 45.65.050 is repealed and re-enacted to read:

7 Sec. 45.65.050. AFFIXING SEALS TO HANDICRAFT. A maker of handi-
8 craft may present the article of handicraft to an agent for an identifi-
9 cation seal and accompanying document, if necessary, as specified in
10 sec. 30 of this chapter. The agent shall, without charge, inspect and
11 determine whether the article is an authentic article of Native or non-
12 Native resident handicraft made in Alaska. If he determines it is
13 authentic, he shall, without charge, affix the seal and present the
14 document, if necessary, appropriate under sec. 30 of this chapter.

15 * Sec. 6. AS 45.65.060 is repealed and re-enacted to read:

16 Sec. 45.65.060. PENALTIES. (a) A person who knowingly or wil-
17 fully issues the document for, or affixes or attaches the identification
18 seal provided for in secs. 10 - 70 of this chapter to an article, know-
19 ing that it is not an authentic article of handicraft, or affixes or
20 attaches the inappropriate seal, or issues the inappropriate document,
21 under sec. 30 of this chapter, is guilty of a misdemeanor, and upon
22 conviction is punishable by a fine of not more than \$1,000, or by im-
23 prisonment for not more than one year, or by both.

24 (b) A person who knowingly or wilfully sells or offers for sale an
25 article with the seal affixed or attached and issues the document, if
26 required under sec. 30 of this chapter, knowing that the article is not
27 an authentic article of handicraft, or knowingly or wilfully sells or
28 offers for sale an article with the inappropriate seal or document as
29 provided in sec. 30 of this chapter, is guilty of a misdemeanor, and

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

3 (c) A person who wilfully alters, changes, or counterfeits an
4 identification seal or document is guilty of a misdemeanor, and upon
5 conviction is punishable by a fine of not more than \$1,000, or by im-
6 prisonment for not more than one year, or by both.

7 * Sec. 7. AS 45.65.070 is repealed and re-enacted to read:

8 Sec. 45.65.070. DEFINITIONS. In secs. 10 - 70 of this chapter,
9 unless the context otherwise requires,

10 (1) "authentic handicraft from Alaska" means an article made
11 in the state by an Alaska resident artist or craftsman, and created with
12 Alaskan materials where possible;

13 (2) "authentic Native handicraft" means an article made in
14 the state which is composed wholly, or in some significant respect, of
15 natural materials, and which is produced, decorated or fashioned by an
16 Alaska Native;

17 (3) "commissioner" means the commissioner of commerce and
18 economic development;

19 (4) "Native" means a resident having not less than one-
20 quarter Eskimo, Aleut or Indian blood.