

Original sponsor: Duncan

Offered: 5/25/78
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 SENATE CS FOR 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] HANDICRAFT. A
11 person who makes an authentic article of Native handicraft in the state
12 may obtain an identification seal as specified in sec. 30 of this chap-
13 ter to identify the article [AS BEING THE PRODUCT OF AUTHENTIC NATIVE
14 HANDICRAFT]. The identification seal may be affixed only to authentic
15 articles of [NATIVE] handicraft made in the state.

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

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

19 [(1) IDENTIFICATION SEALS WITH A DISTINCTIVE DESIGN BEARING
20 THE WORDS "AN AUTHENTIC RESIDENT ALASKAN CRAFT MADE IN ALASKA" WHICH MAY
21 NOT INCLUDE THE SILVER HAND SYMBOL; AND]

22 (2) identification seals incorporating the silver hand symbol
23 and bearing in black letters the words "Authentic Native Handicraft";
24 and ["AN AUTHENTIC ALASKAN INDIAN CRAFT MADE IN ALASKA", "AN AUTHENTIC
25 ALASKAN ESKIMO CRAFT MADE IN ALASKA" OR "AN AUTHENTIC ALASKAN ALEUT
26 CRAFT MADE IN ALASKA".]

27 (3) identification seals incorporating the black hand symbol
28 and bearing in silver letters the words "Authentic Handicraft from
29 Alaska".

1 (b) The seals shall have a letter symbol and color change to
2 designate the area in the state in which the article was produced, and a
3 number to designate the agent or permittee in the area who authorized
4 the use of the label.

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

6 Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resident
7 of the state may apply to the commissioner for a permit as agent to
8 issue identification seals in the state. The commissioner may examine
9 or investigate an applicant to determine whether the applicant has
10 sufficient knowledge of the handicrafts, customs, and populace of the
11 area in which he resides to identify authentic articles of handicraft
12 and to distinguish between "Authentic Native Handicraft" and "Authentic
13 Handicraft from Alaska", and may issue permits to qualified applicants.
14 Permits shall be issued without charge. The permit may limit the au-
15 thority of the agent to a certain geographical area or to a particular
16 type of handicraft. The commissioner shall prescribe the form of the
17 application and permit, the period for which the permit is valid, and
18 the procedure for renewal of the permit. He may suspend or revoke the
19 permit in the manner provided in art. 8 of the Administrative Procedure
20 Act (AS 44.62.330 - 44.62.639). Native craftsmen [CRAFTSPEOPLE] may
21 apply to the commissioner for a special craftsman [CRAFTSPERSON] permit.
22 The commissioner shall ascertain whether the applicant is an Alaskan
23 resident engaged in arts and crafts production. If this is the case,
24 the craftsman [CRAFTSPERSON] shall be issued a permit to use seals on
25 his own crafts products.

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

27 Sec. 45.65.050. AFFIXING SEALS TO [NATIVE] HANDICRAFT. A maker
28 having obtained a permit may place seals on articles manufactured by
29 himself. Other craftsmen [CRAFTSPEOPLE] may present an article of

1 handicraft to an agent for a seal. The agent shall, without charge,
2 inspect and determine if the article is an "Authentic Native Handicraft"
3 or an "Authentic Handicraft from Alaska". After making this determina-
4 tion, he shall, without charge, affix the appropriate seal [AN AUTHENTIC
5 NATIVE ARTICLE OF HANDICRAFT. IF HE DETERMINES IT IS AUTHENTIC, HE
6 SHALL, WITHOUT CHARGE, AFFIX THE SEAL].

7 * Sec. 5. AS 45.65.060(a) and (b) are amended to read:

8 (a) A person who knowingly or wilfully affixes or attaches the
9 identification seal provided for in secs. 10 - 70 of this chapter to an
10 article, knowing that it is not an authentic article of handicraft, or
11 knowing that it is the inappropriate seal as provided in sec. 30 of this
12 chapter, is guilty of a misdemeanor, and upon conviction is punishable
13 by a fine of not more than \$5,000, or by imprisonment for not more than
14 one year, or by both.

15 (b) A person who knowingly or wilfully sells or offers for sale an
16 article with the seal affixed or attached, knowing that the article is
17 not an authentic article of handicraft, or knowing that affixed or
18 attached to it is the inappropriate seal as provided in sec. 30 of this
19 chapter, is guilty of a misdemeanor, and upon conviction is punishable
20 by a fine of not more than \$5,000, or by imprisonment for not more than
21 one year, or by both.

22 * Sec. 6. AS 45.65.070 is repealed and re-enacted to read:

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

25 (1) "Authentic Handicraft from Alaska" means an article made
26 in the state by an Alaska resident artist or craftsman, and created with
27 Alaskan materials where possible;

28 (2) "Authentic Native Handicraft" means an article made in
29 the state which is composed wholly, or in some significant respect, of

1 natural materials, and which is produced, decorated or fashioned by an
2 Alaska Native;

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

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

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