

Introduced: 1/30/78  
Referred: Commerce

BY RAY, BRADLEY, FERGUSON AND  
SACKETT

1 IN THE SENATE

2 CS SENATE BILL NO. 444 AM

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 Native handicraft."

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

8 \* Section 1. AS 45.65.010 is amended to read:

9 Sec. 45.65.010. IDENTIFICATION SEAL FOR NATIVE HANDICRAFT. A

10 person who makes an authentic article of Native handicraft [IN THE  
11 STATE] may obtain an identification seal as specified in sec. 30 of this  
12 chapter to identify the article [AS BEING THE PRODUCT OF AUTHENTIC  
13 NATIVE HANDICRAFT]. The identification seal may be affixed only to  
14 authentic articles of Native handicraft [MADE IN THE STATE].

15 \* Sec. 2. AS 45.65.030 is amended to read:

16 Sec. 45.65.030. COMMISSIONER TO PREPARE IDENTIFICATION SEAL. (a)

17 The commissioner shall prepare and design

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

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

26 (3) identification seals incorporating the black hand symbol  
27 and bearing in silver letters the words "Resident Alaskan Native Craft  
28 Made in Alaska".

29 (b) The seals specified in (a)(3) of this section shall have a

1 letter symbol and color change to designate the area in the state in  
2 which the article was produced, and the seals specified in (a)(2) and  
3 (3) of this section shall have a number to designate the agent or per-  
4 mittee in the area who authorized 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 or to distinguish between resident Alaskan Native crafts made in Alaska  
13 and other Native crafts and may issue permits to qualified applicants.  
14 Permits shall be issued without charge. The permit may limit the author-  
15 ity of the agent to a certain geographical area or to a particular type  
16 of handicraft. The commissioner shall prescribe the form of the appli-  
17 cation and permit, the period for which the permit is valid, and the  
18 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 craftspeople may apply to the  
21 commissioner for a special craftspeople permit. The commissioner shall  
22 ascertain whether the applicant is an Alaskan resident engaged in arts  
23 and crafts production. If this is the case, the craftspeople shall be  
24 issued a permit to use seals on his own crafts products.

25 \* Sec. 4. AS 45.65.050 is amended to read:

26 Sec. 45.65.050. AFFIXING SEALS TO NATIVE HANDICRAFT. A maker  
27 having obtained a permit may place seals on articles manufactured by  
28 himself. Other craftspeople may present an article of handicraft to an  
29 agent for a seal. The agent shall, without charge, inspect and deter-

1 mine if the article is a Native craft or a resident Alaskan Native craft  
2 made in Alaska. After making this determination, he shall, without  
3 charge, affix the appropriate seal [AN AUTHENTIC NATIVE ARTICLE OF  
4 HANDICRAFT. IF HE DETERMINES IT IS AUTHENTIC, HE SHALL, WITHOUT CHARGE,  
5 AFFIX THE SEAL].

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

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

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

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