

Original sponsors: Ray, Bradley,
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Offered: 3/23/78
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 444

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 state
11 may obtain an identification seal as specified in sec. 30 of this chap-
12 ter to identify the article [AS BEING THE PRODUCT OF AUTHENTIC NATIVE
13 HANDICRAFT]. The identification seal may be affixed only to authentic
14 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 "Authentic Native Handicraft";
23 and ["AN AUTHENTIC ALASKAN INDIAN CRAFT MADE IN ALASKA", "AN AUTHENTIC
24 ALASKAN ESKIMO CRAFT MADE IN ALASKA" OR "AN AUTHENTIC ALASKAN ALEUT
25 CRAFT MADE IN ALASKA".]

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

29 (b) The seals shall have a letter symbol and color change to

1 designate the area in the state in which the article was produced, and a
2 number to designate the agent or permittee in the area who authorized
3 the use of the label.

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

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

1 inspect and determine if the article is an "Authentic Native Handicraft"
2 or an "Authentic Handicraft from Alaska". After making this determina-
3 tion, he shall, without charge, affix the appropriate seal [AN AUTHENTIC
4 NATIVE ARTICLE OF HANDICRAFT. IF HE DETERMINES IT IS AUTHENTIC, HE
5 SHALL, WITHOUT CHARGE, 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
19 by a fine of not more than \$5,000, or by imprisonment for not more than
20 one year, or by both.

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

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

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

27 (2) "Authentic Native Handicraft" means an article made in
28 the state which is composed wholly, or in some significant respect, of
29 natural materials, and which is produced, decorated or fashioned by an

1 Alaska Native;

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

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

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