

CS FOR SENATE BILL NO. 427 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/27/92
Referred: Rules

Sponsor(s): SENATORS STURGULEWSKI, Pearce

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to articles made in Alaska."

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

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

4 Sec. 45.65.010. IDENTIFICATION SEALS AND EMBLEMS [SEAL FOR
5 HANDICRAFTS]. A person who makes an authentic Native [ARTICLE OF] handicraft in the
6 state may obtain an identification seal as specified in AS 45.65.030(a) [AS 45.65.030] to identify
7 the article. The identification seal may be affixed only to authentic Native handicrafts
8 [ARTICLES OF HANDICRAFT] made in the state.

9 * Sec. 2. AS 45.65.010 is amended by adding a new subsection to read:

10 (b) A person may use an emblem described under AS 45.65.030(c) to identify an article
11 that is made in the state. The emblem may not be used to identify an article made outside the
12 state.

13 * Sec. 3. AS 45.65.020 is amended to read:

14 Sec. 45.65.020. COMMISSIONER TO ADMINISTER [AS 45.65.010 - 45.65.070]. The

1 commissioner of commerce and economic development is responsible for the administration of
2 AS 45.65.010 - 45.65.070, including

3 (1) subject to AS 45.65.030(a) [AS 45.65.030], the design, method of affixing,
4 preparation, issuance, and control of identification seals [AND DOCUMENTS];

5 (2) the issuance of permits to agents to distribute the seals [AND DOCUMENTS];

6 (3) the supervision of the use of the seals and emblems [DOCUMENTS];

7 (4) subject to AS 45.65.030(c), the design, issuance, and control of emblems;

8 (5) the issuance of permits to agents to issue permits to use the emblems; and

9 (6) [(4)] the enforcement of [THE CIVIL AND CRIMINAL PROVISIONS OF]
10 AS 45.65.010 - 45.65.070.

11 * Sec. 4. AS 45.65.030(a) is amended to read:

12 (a) The official authentic Native handicraft symbol is the silver hand symbol. It must
13 [SHALL] bear the words: "Authentic Native Handicraft from Alaska", and include a blank line
14 for the artist's name and the place of origin of the article. [IF SPACE PERMITS ON THE
15 SEAL, OR, IF NOT, IN AN ACCOMPANYING DOCUMENT, IT SHALL ALSO STATE:
16 "THIS SILVER HAND SYMBOL IS YOUR GUARANTEE THAT THIS IS A GENUINE
17 ARTICLE, MADE IN ALASKA, HAND-CRAFTED AND FINISHED BY AN ALASKAN
18 NATIVE ARTIST OR CRAFTSMAN. WHERE POSSIBLE, ONLY ALASKAN MATERIALS
19 HAVE BEEN USED TO CREATE THIS ARTICLE, AND TO A GREAT EXTENT ONLY
20 TRADITIONAL NATIVE METHODS HAVE BEEN USED."]

21 * Sec. 5. AS 45.65.030 is amended by adding a new subsection to read:

22 (c) The official emblem for an article that is made in the state is a design approved by
23 the commissioner under AS 45.65.020(4) that depicts a mother bear with a cub and states the
24 words "Made in Alaska."

25 * Sec. 6. AS 45.65.040 is repealed and reenacted to read:

26 Sec. 45.65.040. IDENTIFICATION SEAL AND IDENTIFICATION SEAL AGENT
27 PERMITS. (a) The identification seal authorized under AS 45.65.010(a) may only be used after
28 receiving a permit from the commissioner or from an agent who possesses a current permit under
29 (b) of this section.

30 (b) A resident of the state may apply to the commissioner for a permit as agent to issue
31 permits to use the identification seals described under AS 45.65.030(a) in the state. The

1 commissioner may examine or investigate an applicant to determine whether the applicant has
2 sufficient knowledge of handicrafts, customs, and populace of the area in which the applicant
3 resides to identify authentic Native handicraft, and may issue permits to qualified applicants. The
4 permit may limit the authority of the agent to a certain geographic area or to a particular type
5 of handicraft.

6 (c) The commissioner shall establish forms and fees for the applications and permits to
7 be used or issued under this section, the period for which the permits are valid, and the
8 procedures for renewing the permits.

9 (d) Before issuing a permit for an article under this section, the commissioner or the
10 identification seal agent shall determine that the article is eligible for the identification seal.

11 (e) An identification seal agent may report alleged violations of AS 45.65.010 - 45.65.070
12 to the commissioner.

13 * Sec. 7. AS 45.65 is amended by adding a new section to read:

14 Sec. 45.65.045. EMBLEM AND EMBLEM AGENT PERMITS. (a) The emblem
15 authorized under AS 45.65.010(b) may not be used without receiving a permit from the
16 commissioner or from an agent who possesses a current permit under (b) of this section.

17 (b) A resident of the state may apply to the commissioner for a permit to act as an agent
18 to issue permits to use the emblem. An agent may report alleged violations of AS 45.65.010 -
19 45.65.070 to the commissioner.

20 (c) The commissioner shall establish forms and fees for the applications and permits to
21 be used or issued under this section, the period for which the permits are valid, and the
22 procedures for renewing the permits.

23 (d) Before issuing a permit for an article under this section, the commissioner or the
24 agent shall determine that the article is eligible for the emblem.

25 * Sec. 8. AS 45.65.060 is amended to read:

26 Sec. 45.65.060. PENALTIES. (a) A person who knowingly or wilfully [ISSUES THE
27 DOCUMENT FOR, OR] affixes or attaches the identification seal provided for in AS 45.65.010 -
28 45.65.070 to an article, knowing that it is not an authentic Native [ARTICLE OF] handicraft,
29 [OR AFFIXES OR ATTACHES THE INAPPROPRIATE SEAL, OR ISSUES THE
30 INAPPROPRIATE DOCUMENT, UNDER AS 45.65.030,] is guilty of a class B misdemeanor
31 [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000,

1 OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

2 (b) A person who knowingly or wilfully sells or offers for sale an article with the seal
3 affixed or attached [AND ISSUES THE DOCUMENT, IF REQUIRED UNDER AS 45.65.030],
4 knowing that the article is not an authentic Native [ARTICLE OF] handicraft [, OR
5 KNOWINGLY OR WILFULLY SELLS OR OFFERS FOR SALE AN ARTICLE WITH THE
6 INAPPROPRIATE SEAL OR DOCUMENT AS PROVIDED IN AS 45.65.030], is guilty of a
7 class B misdemeanor [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT
8 MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR
9 BY BOTH].

10 (c) A person who knowingly or wilfully alters, changes, or counterfeits an identification
11 seal or emblem [DOCUMENT] is guilty of a class B misdemeanor [, AND UPON
12 CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY
13 IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

14 * Sec. 9. AS 45.65.060 is amended by adding new subsections to read:

15 (d) A person who knowingly or wilfully sells or offers for sale an article that is not made
16 in the state but that bears the emblem is guilty of a class B misdemeanor.

17 (e) A person who knowingly or wilfully uses the emblem for an article that is not made
18 in the state is guilty of a class B misdemeanor.

19 (f) A person who has been issued a permit under AS 45.65.040 to issue permits to use
20 the identification seals described under AS 45.65.030(a) is guilty of a class B misdemeanor if the
21 person knowingly or wilfully issues a permit for an article that is not an authentic Native
22 handicraft.

23 (g) A person who has been issued a permit under AS 45.65.045 to issue permits to use
24 the emblem, is guilty of a class B misdemeanor if the person knowingly or wilfully issues a
25 permit for an article that is not made in the state.

26 * Sec. 10. AS 45.65.070 is amended by adding a new paragraph to read:

27 (5) "emblem" means the emblem that is authorized under AS 45.65.010(b).

28 * Sec. 11. AS 45.65.030(b), 45.65.050, and 45.65.070(1) are repealed.