

**SB**

**97**

# MEMORANDUM

**DATE:** February 22, 2008

**TO:** Representative John Harris  
Speaker of the House of Representatives

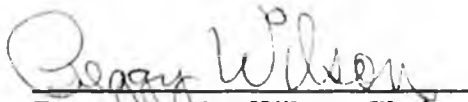
**FROM:** Representative Peggy Wilson  
Chair, House HESS Committee

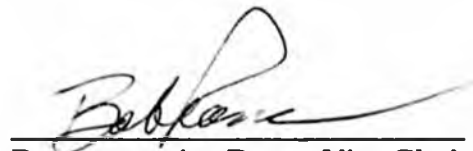
**SUBJECT:** Waiving SB 97 *AK. Native Art Identification Scale*

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The members of the House HESS Committee agree to waive SB 97 from the House HESS Committee.

Signature and agreement to waive this bill does not constitute support or opposition to the bill, nor does it obligate the member to a specific vote on the House floor.

  
Representative Wilson, Chair

  
Representative Roses, Vice Chair

  
Representative Keller

  
Representative Seaton

  
Representative Fairclough

  
Representative Gardner

  
Representative Cissna

**SESSION ADDRESS:**  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4925  
Fax: (907) 465-3517  
Toll Free: 1-800-821-4925

**Senator Gary Stevens**  
**Alaska State Legislature**

**INTERIM ADDRESS:**  
112 Mill Bay Road  
Kodiak, Alaska 99615  
(907) 486-4925  
Fax: (907) 486-5264

# Memorandum

**To:** Representative Peggy Wilson, Chair  
House Health, Education, &  
Social Services Committee

**From:** Senator Gary Stevens, Chair  
Senate Rules Committee

**Date:** February 20, 2008

**Re:** SB 97 Hearing Request, Pending Referral

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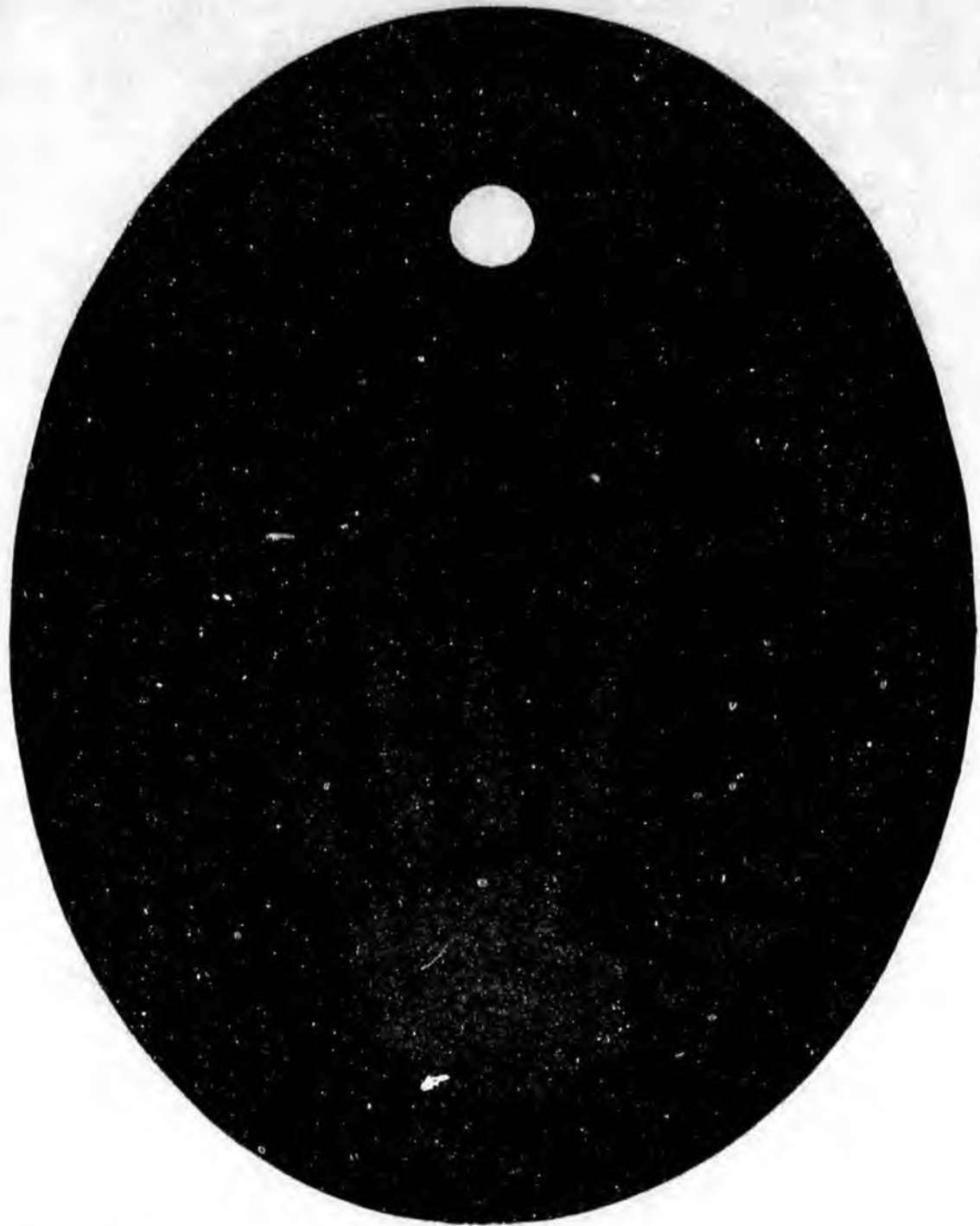
I respectfully request SB 97 be heard before the House Health, Education, & Social Services Committee, pending its referral. SB 97, "An Act relating to identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices," is informally known as the Silver Hand bill.

In the enclosed packet are the sponsor statement, copy of the original version of the bill, the Senate Judiciary's committee substitute, a sectional analysis, background materials, letters of support, an AFN Resolution supporting SB 97, and a zero fiscal note from the Dept. of Education and Early Development.

I expect testimony to come from representatives of the Alaska State Council on the Arts, and perhaps also from Alaska Native Artists.

Thank you for your consideration of this request. Please contact myself, or my aide Tim Lamkin at extension 4925 with any questions you may have.

# SILVER HAND - SB 97



This symbol is your guarantee that this is a genuine article, made in Alaska, handcrafted and finished by an Alaska Native artist or craftsman

Artist
Origin
Permit No.



SILVER HAND - SB 97



This symbol is your guarantee that this is a genuine article made in Alaska handcrafted and finished by an Alaska Native artist or craftsman.

Artist

Origin

Permit No



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Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4925  
Fax: (907) 465-3517  
Toll Free: 1-800-821-4925

# Senator Gary Stevens

## Alaska State Legislature

INTERIM ADDRESS:  
112 Mill Bay Road  
Kodiak, Alaska 99615  
(907) 486-4925  
Fax: (907) 486-5264



### Sponsor Statement for Senate Bill 97

“An Act relating to identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices”

Senate Bill 97 seeks to improve the statutes governing the administration of the Silver Hand program. The Silver Hand program was created to help promote the creation, appreciation, and sale of Alaska Native art of the highest quality. Alaska Natives have a great variety of artistic traditions stretching back for millennia and which are still an important part of life today. Alaska Native art shares the cultures of Alaska Native peoples and enriches the lives of all Alaskans today. It is admired around the world, and is a vital part of the personal and community expression of Alaska Native identity. Alaska Native art is also highly valued in the marketplace, both within the state boundaries, and nationally and internationally. For so many reasons, it is good for all Alaskans to promote the creation of Alaska Native art and to ensure the legitimacy of Alaska Native art.

SB 97 will make several targeted changes to the law under which the Alaska State Council on the Arts administers the Silver Hand program. Among the changes it seeks to effect, it will delete obsolete references to agents, refers to the creations of Alaska Native artists with the term art instead of handicraft, clarifies the penalty for violating the Silver Hand laws and that sale and purchase of Silver Hand seals is prohibited, and sets out clearly the conduct related to Silver Hand seals that is not allowed.

SB 97 will take a good program and make it better. I urge your support passage of this legislation.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 5, 2007

**SUBJECT:** Sectional Summary of SB 97 relating to identification seals for certain articles created or crafted in the state by Alaska Native persons. (Work Order No. 25-LS0405M)

**TO:** Senator Gary Stevens  
Attn: Doug Letch

**FROM:** *JB*  
Theresa Bannister  
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

**Section 1.** Amends AS 44.27.050 to conform the description of the identification seal duties of the Alaska State Council on the Arts to the changes made in this bill.

**Section 2.** Amends the list of unfair trade practices in the state's unfair trade practices act to add the identification seal conduct prohibited under AS 45.65.055.

**Section 3.** Amends the criteria that determine who may obtain an identification seal. Amends the criteria that determine which articles the seal may be affixed to.

**Section 4.** Amends the description of the responsibility of the Alaska State Council on the Arts relating to identification seals. Conforms the language to other changes made in this bill and adds fee collection responsibility.

**Section 5.** Amends AS 45.65.030(a) to conform to other changes made in this bill and to require that a space, rather than a blank line, be included for the artist's name and the place of origin of the article.

**Section 6.** Amends AS 45.65.040(a) to remove the reference to an agent in order to reflect that a permit can only be issued by the Alaska State Council on the Arts.

**Section 7.** Amends AS 45.65.040(d) to require the Alaska State Council on the Arts to determine whether a person is eligible for the permit, as well as whether an article is eligible for an identification seal. Deletes the reference to an agent.

Senator Gary Stevens  
March 5, 2007  
Page 2

**Section 8.** Amends AS 45.65.040(e) to allow a person to report an identification seal violation and to delete the reference to agents.

**Section 9.** Adds a new section that describes the conduct that is prohibited when dealing with identification seals.

**Section 10.** Amends AS 45.65.060(a) to refer to the new sec. 45.65.055 (prohibited conduct) to describe what will be considered a misdemeanor with regard to identification seals. Adds a definition of "knowingly" and deletes "willfully."

**Section 11.** Amends AS 45.65.060(c) to conform the language to other changes made in the Act.

**Section 12.** Amends the definition to define "authentic Alaska Native art" as art that is created or crafted by an Alaska Native person.

**Section 13.** Amends the definition section to add definitions of "Alaska Native person," "art," "identification seal," "original," and "recognized Alaska tribe."

**Section 14.** Repeals certain provisions of AS 45.65.

If I may be of further assistance, please advise.

TLB:ljw  
07-109.ljw

# FISCAL NOTE

**STATE OF ALASKA**  
**2007 LEGISLATIVE SESSION**

Fiscal Note Number: SB97-EED-AC-3-8-07  
 Bill Version: SB97  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_

Dept. Affected: Education & Early Development

Title An act relating to identification seals for certain  
articles created or crafted in the state by Alaska Native person;

RDU Commissions and Boards  
 Component Alaska Council on the Arts

Sponsor Senator Stevens  
 Requester Labor and Commerce, Finance

Component No. 192

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation helps clarify existing law to identify genuine Alaska Native art that is crafted in the state by Alaska Native individuals. Those who would 'knowingly' use a seal without obtaining a permit and found in violation of the law will be subject to a class B misdemeanor.

Prepared by: Eddy Jeans, Director  
 Division: School Finance  
 Approved by: Barbara Thompson, Deputy Commissioner  
 Agency: Education & Early Development

Phone 465-8679  
 Date/Time 3/8/07 10:01 AM  
 Date 3/8/2007

The integrity of the Silver Hand Program depends on the permit holders using the tags and labels in accordance with AS 45.65.010-45.65.070 and 3AAC 58.005-.900.

Unlawful use of the Silver Hand identification should be reported to ASCA immediately.

#### **DEFINITIONS**

**"Authentic Native handicraft"**: an article made in the state, which is composed wholly, or in significant part, of natural materials, and which is produced, decorated or fashioned by an Alaska Native.

**"Native"**: a resident having not less than one-quarter Eskimo, Aleut, or Indian blood. (American Indians whose tribes are indigenous to other states are not eligible for this program.)

**"Natural material"**: material produced or existing in nature, not artificial or manufactured, and derived from lands, plants, animals or other natural resources.

**"State resident"** (AS43.23.095) means an individual who is physically present in the state with the intent to remain indefinitely in the state under the requirements of AS 1.10.055.

#### **PENALTIES FOR MISUSE OF THE SILVER HAND IDENTIFICATION LABEL OR PERMIT**

##### **Sec. 45.65.060.**

- (a) A person who knowingly or willfully issues the document for or affixes or attaches the identification label provided for in this chapter to an article, knowing that it is not an authentic Native handicraft, is guilty of a class B misdemeanor.
- (b) A person who knowingly or willfully sells or offers for sale an article with the label affixed or attached, knowing that it is not an authentic Native handicraft, is guilty of a class B misdemeanor.
- (c) A person who knowingly or willfully alters, changes, or counterfeits an identification label or emblem, is guilty of a class B misdemeanor.
- (d) A person who has been issued a permit under AS 45.65.030(a) is guilty of a class B misdemeanor if the person knowingly or willfully issues a permit for an article that is not an authentic Alaska Native Handicraft.

#### **REVOCATION AND DEBARMENT**

##### **Sec. 3 AAC 58.075**

- (a) The permit of a person authorized to use the Silver Hand label or the Made in Alaska emblem or to act as an agent for either the Silver Hand or the Made in Alaska program who is convicted of an offense under AS 45.65.060 is automatically revoked on the date of the conviction.
- (b) Any person who is convicted of an offense under AS 45.65.060 is barred from any further participation in either the Silver Hand or the Made in Alaska program.
- (c) After notice and opportunity for hearing, the Council will, in the Council's discretion, revoke a permit for failure to comply with the requirements of AS 45.65.010 - 45.65.070 including the payment of fees, and this chapter.

#### **TO DOWNLOAD AN APPLICATION**

Go to the ASCA website [www.eed.state.ak.us](http://www.eed.state.ak.us) to download and application to fill out by hand.

#### **FOR MORE INFORMATION**

Please direct questions concerning the Silver Hand Permit Program to ASCA. Alaskan artists may also be eligible for the Made in Alaska Program. For more information on Made in Alaska call 907/272-5634.

# SILVER HAND PERMIT APPLICATION



ALASKA STATE COUNCIL ON THE ARTS  
411 West 4<sup>th</sup> Avenue, Suite 1E  
Anchorage, Alaska 99501-2343  
Tel: (907)269-6610  
Fax: (907)269-6601  
Toll Free in Alaska: 1-888-278-7424  
TTY: 1-800-770-8973  
Email: [aksca\\_info@eed.state.ak.us](mailto:aksca_info@eed.state.ak.us)  
Website: [www.eed.state.ak.us/aksca](http://www.eed.state.ak.us/aksca)

New Application     Renewal Application

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Type of Handicraft Produced: \_\_\_\_\_

I, the undersigned, hereby certify that I am an Alaska Native, am a resident of the state, am 18 years or older, and I will affix the Silver Hand label only on a handicraft that was or will be made: entirely by me; wholly or in significant part of natural materials; and within the state of Alaska. I have read and agree to abide by the Silver Hand Program information present in this permit application.

Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

I am 18 years or older

I am currently a permanent resident of Alaska

I have attached the required documentation  
(copy of CIB card or proof of 1/4 Alaskan Native)

\$20 handling charge (Check or Money Order only)

Copy of a current photo id

Return completed application with the above listed support documentation and \$20 to ASCA.

**FOR OFFICIAL ASCA USE ONLY**

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

Permit #: \_\_\_\_\_

Silver Hand Tags & Labels received: \_\_\_\_\_

Labels: \_\_\_\_\_ Hang tags: \_\_\_\_\_ Initials: \_\_\_\_\_

Amount rec'd: \_\_\_\_\_ Check number: \_\_\_\_\_

**THE SILVER HAND PERMIT PROGRAM**

The Alaska State Council on the Arts (ASCA) administers the Silver Hand Permit Program.

The purpose of the program is to provide a guarantee to a consumer that an article on which the Silver Hand identification appears has been hand crafted in Alaska by an Alaska Eskimo, Aleut, or Indian craftsman or artist and made wholly or in significant part of natural materials.

An Alaska Native person who makes an authentic handicraft article in the state may obtain Silver Hand tags or labels to identify the article. ASCA provides identification labels for authentic Alaska Native handicraft to individual applicants. The label features a silver hand and the words, "Authentic Native Handicraft from Alaska". The Silver Hand tags or labels may only be affixed to authentic Alaska Native handicrafts made by that individual while residing in the state.

The Silver Hand Permit holders are public record.

The Silver Hand Agent portion of the program has been permanently suspended.

**THE SILVER HAND PERMIT PROCESS**

A complete application, support documents and a \$20 handling charge must be submitted to ASCA to receive a permit to use the Silver Hand identification label on a handicraft. The Council will review applications for eligibility within 30 days from the date of receipt of a completed application. If the applicant is eligible, a nontransferable permit and Silver Hand tags and/or labels will be issued. The permit is valid for two years from the date the permit is issued and may be renewed by submitting a completed permit renewal application within 30 days of the end of the two-year period. If the applicant is ineligible the handling charge and support documents will be returned immediately.

**REQUIREMENTS**

A permit to use Silver Hand identification will be issued to an Alaska Native who:

- (1) Applies to the Alaska State Council on the Arts;
- (2) Documents that the applicant is an Alaska Native with a blood quantum of 1/4 or greater; documentation proving eligibility includes:

(A) United States Department of Interior, Bureau of Indian Affairs "Certificate of Indian Blood";

(B) An official letter from a village or regional corporation established under 43 U.S.C. 1606-43 U.S.C. 1607 (Alaska Native Claims Settlement act of 1971, sec. 7 & 8); or

(C) an official letter from a village council or tribe in which the applicant is a member;

(3) Certifies on the application that the applicant will affix the Silver Hand identification only on a handicraft that was or will be made:

(A) entirely by the applicant;

(B) within this state; and

(C) in whole or in significant part of natural materials.

(4) Copy of photo identification, i.e. State Drivers license, State identification card

(5) Is 18 years of age or older

(6) Is a full time resident of the state

**UTILIZING SILVER HAND IDENTIFICATION**

A permit holder may use the representation of the Silver Hand identification on catalogs, letterhead, business cards, in-store and other advertising, and for other similar purposes related to the permit holder's handicrafts. The permit holder may use a representative of the Silver Hand symbol only in advertising of that permit holder's handicrafts.

The Silver Hand symbol or a representation of that symbol may not be:

(A) used in a manner that is false or misleading.

(B) Modified

(C) incorporated into a business, company, or product logo or label.

(D) sold as art or as a dominant feature of a handicraft unless approved by the ASCA Chair in writing.

A permit holder may obtain 150 Silver Hand labels/tags annually from ASCA at no cost. Additional labels/tags may be purchased at ten cents per label or fifteen cents per tag. Contact ASCA for further information.

To request your free supply of Silver Hand labels/tags for the second year, submit a written request to the Alaska State Council on the Arts for the quantity of tags or labels needed. The request must be signed by the permit holder.



*Celebrating 40 years of support for the arts in Alaska*

Senator Johnny Ellis, Chair  
Alaska State Senate  
Chair, Senate Labor and Commerce Committee  
Sent via email

March 7, 2007

Dear Senator Ellis and members of the committee:

The Alaska State Council on the Arts (ASCA) would like to lend our support to the passage of SB 97, relating to the Silver Hand Program.

This statute revision will strengthen the relationship between our agency and the Alaska Native artists we serve in many respects. One of the primary tenets of the Silver Hand program is the mark of authenticity for the over 1400 artists that our program represents, and for the thousands of visitors to our state who purchase this work every year.

A major study conducted of Alaska Native Artists last year under the auspices of the Ford Foundation found that almost 90% of the artists surveyed felt that the counterfeit native art market in the state is an enormous problem. While ASCA can't prohibit the sale of native art knock-offs, we certainly can strength our own resident's ability to sell work through our Silver Hand program, and inform the buying public about our program.

Another revision will incorporate the expansion of allowable materials that Native Artists can use in their work and still be in our program. Currently, only natural materials can be used, which means that many of our most well known contemporary Native artists are not eligible for the Silver Hand program. This revision will correct that problem.

The economic impact of the arts in Alaska is certainly worth mentioning. In 2001, the MacDowell Group did a survey of Alaska Arts and Crafts Industry – all sectors – and found that over 4,500 Alaskans earned income from arts-related activity, and in 2001, Alaska artists earned an estimated \$20 million. Total direct employment in the creative industry was approximately \$40 million in annual income, including profit and non profit sectors.

Although the consumer numbers are not conclusive, the same survey cited above indicated that 30% of Alaskans who purchased art in 2001, bought only Alaska Native work, and 56% of those consumers said they looked for the Silver Hand symbol when

buying Native art. As ASCA increases our publicity efforts and consumer education programs, we hope that this number grows.

ASCA is currently working closely with the Federal Trade Commission and the tourist industry to ensure that visitors to our state are aware of the importance of buying authentic Alaska Native art.

The revision of this statute and the strengthening of our policies will have impact in two major ways:

- 1) On the consumer side, to strengthen the education and enforcement efforts so that visitors and residents alike buy authentic Alaska Native art by increasing civil penalties;
- 2) On the artist side, to provide Alaska Native artists with more economic opportunities by shifting our emphasis to authenticating the artist and expanding the allowable art materials.

I appreciate your committee taking the time to review this legislation that is vital to our agency and to our Alaska Native artist population.

Sincerely,

Charlotte A. Fox  
Executive Director

ALASKA FEDERATION OF NATIVES

2007 ANNUAL CONVENTION

RESOLUTION 07-35

**TITLE:** PROTECTING AND PROMOTING ALASKA NATIVE ARTISTS AND THEIR CREATIVE WORK BY UPDATING THE STATE STATUTES GOVERNING THE SILVER HAND PERMIT PROGRAM

**WHEREAS:** The Silver Hand Permit Program is the State of Alaska's sanctioned Alaska Native Arts authentication program and has been administered by the Alaska State Council on the Arts, a division of the State Department of Education & Early Development, since 1998 upon the recommendation of a Governor-appointed Alaska Native review committee; and

**WHEREAS:** The Silver Hand Permit Program currently serves more than 1,500 permit holders, who collectively represent 151 Alaska Native villages and Alaska's three largest cities, Anchorage, Fairbanks, and Juneau, and which anticipates a steady increase in eligible applicants in the future; and

**WHEREAS:** The Silver Hand Permit Program supports the integrity and integration of the subsistence lifestyle, cultural well-being, sustainability of village residency and socioeconomic potential for Alaska Native artists and their families by helping Alaska Native artists earn crucial cash income from artwork that can be produced without having to leave their villages; and

**WHEREAS:** The Silver Hand identification seal is recognized and promoted by the majority of large and small tourism companies, statewide retailers, state agencies and contractors as the primary means for consumers to identify and therefore purchase authentic Alaska Native artwork produced by and in Alaska Native artists residing in Alaska; and

**WHEREAS:** The use of the Silver Hand identification seal results in a proven marketing advantage and provides needed economic benefits to Alaska Native artists through increased sales and optimum sale prices in comparison to items not authenticated with the Silver Hand identification seal; and

**WHEREAS:** The statutes governing the Silver Hand Permit Program have remained unchanged since the early 1970s and now needs to be updated to respond to dramatic changes in the creative pursuits and expression of Alaska Native artists and the expansion of consumer and tourism markets; and,

**WHEREAS:** AFN has made a prior commitment to "protect the market price of Alaska Native artwork and prevent imitation and duplication of Alaska Native creative endeavors" through the convention passage of Resolution No. 95-57 in 1995; and

**WHEREAS:** The AFN Board of Directors meeting held on February 12 & 13, 1996 established policy guidelines "with respect to the arts and crafts sales during the annual convention of the corporation" required that for, "articles that are being sold, the following identification must be evident on the article, or attached to it: 1. A Certified Silver Hand tag identifying the article as made by an Alaska Native;" and

**WHEREAS:** Senate Bill 97 and House Bill 161 before the 25<sup>th</sup> Alaska Legislature would enact amendments to the statute governing the Silver Hand Permit Program. The Alaska Federation of Natives supports the following amendments to the Program:

1. Expand enforcement capability by adding civil penalties for misuse of the identification seal;
2. Expand allowable materials and art disciplines to include contemporary Alaska Native artists and contemporary art materials;
3. Expand definitions of eligible visual art media to help permit holders and consumers;
4. Replace *craft* reference with *art* reference to be more inclusive of all art types;
5. To be eligible for the program, we support a requirement of proof that the individual is 1) an Alaska Native and an enrolled member of an Alaska Native tribe; or, 2) an enrolled member of Alaska Native Corporation;
6. Award permits directly to individual artists only and eliminate the unused "agent" portion of the program (already suspended by Council policy);

directly result in a Silver Hand Permit Program improvements benefiting Alaska Native artists and Alaska Native tribal members.

**NOW THEREFORE BE IT RESOLVED** by the Delegates to the 2007 Annual Convention of the Alaska Federation of Natives, Inc., that AFN requests the State of Alaska Legislature Senate and House to pass and enact the legislative described above to make every legally binding effort to protect and promote Alaska Native artists and their creative work on the open market.

**SUBMITTED BY:** THE EYAK CORPORATION

**COMMITTEE ACTION:** DO PASS, TIER 2

**CONVENTION ACTION:** PASSED





# Alutiiq Museum and Archaeological Repository

215 Mission Road, Suite 101, Kodiak, Alaska 99615  
(907) 486-7004 Fax: (907) 486-7048 [www.alutiiqmuseum.com](http://www.alutiiqmuseum.com)

Senator Gary Stevens  
Legislative Session Contact  
State Capitol, Room 103  
Juneau, AK 99801-1182

February 27, 2007

Dear Senator Gary Stevens,

I am writing to express my sincere support for SB97. This proposed draft statute reflects an exhaustive survey, many discussions, and testimony's by Alaska Native artists about their needs in supporting and protecting Alaskan Native arts. SB97 language represents years of primary stakeholder feedback in the only state endorsed Alaska Native arts authentication program, the Silver Hand. With no cost to the state, SB97 accomplishes many critical objectives in serving a statewide constituency.

This bill establishes a relationship between Silver Hand permit holders and the Alaska State Council on the Arts, the program's administering state agency. The bill links the Silver Hand permit program to State of Alaska consumer protection and fair trade law. It also helps to strengthen agency enforcement capability's and clarifies consumer and permit holder protections. SB97 expands economic and creative opportunities for artists by including contemporary Alaska Native artists as important constituents served by the permit program. The bill allows Alaska Native artists to use all material deemed important in the creation of their art and clarifies eligible visual art mediums.

SB97 also enables Federally recognized Alaska Native Tribes to identify eligible permit holders. SB97 aligns with Federal language established in the Indian Arts and Crafts Act of 1990. SB97 empowers the state to promote and protect Silver Hand permit holders who's work represents a very significant, yet quiet, contribution to statewide commerce.

I want to thank you for updating the statutes with SB97. While this may seem like a very small act it will help the Alaska State Council on the Arts support and protect Alaska Native Artists artwork.

Quyanaasinaq, "thank you very much"

Sven Haakanson Jr., Ph.D.  
Executive Director  
Alutiiq Museum

Perry R Eaton  
12000 Shenandoah Road  
Anchorage Alaska 99516  
(907) 345- 0281

Senator Gary Stevens  
State Capitol, Room 103  
Juneau, Alaska 99801  
By fax: (9097) 465-3517

March 1, 2007

Dear Senator Stevens,

Gary, this is just a short note to let you know that I am 110% in support of SB97; the "modernization" of the Silver Hand program. What you have in front of you is the result of very diligent and solid work on the part of the Alaska State Council on the Arts in collaboration with the states Native artists. The revisions bring to the program the opportunity to be much more effective and responsive to the needs of today's Native artist, while adding no financial burden to the state.

Of all the changes proposed, I am particularly pleased with the fact that the Federally Recognized Tribes identify the eligible participants. This eliminates any specter of paternalism, removes a large administrative burden from staff, and builds on synergistic activities of other Federal and State programs and organizations.

All in all, it's a great piece of work and I strongly encourage your support to move the bill.

Perry R Eaton

110 Nicholoff Way  
P.O. Box 322  
Cordova Alaska 99574



ph 907.424.7903 fax 907.424.3018

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*Museum and Gift Gallery of the Prince William Sound, Copper River Delta and Gulf of Alaska Natives*

Senator Gary Stevens  
Legislative Session Contact:  
State Capitol, Room 103  
Juneau, AK 99801-1182  
907-465-4925  
fax: 907-465-3517

March 2, 2007

Dear Senator Gary Stevens,

As Director of a federally recognized tribe's Cultural Center, I would like to express my support for SB97. This is a much needed update to the respected Silver Hand program.

Our cultural center's mission is to preserve our heritage through teaching and exhibiting traditional art and skills. We accomplish this through traditional art and skills classes and the gift shop which provides a sales venue for quality produced pieces. The silver hand program has been valuable to us as authentication of our tribal artists and to help us identify the work of other native artists throughout the state. We are very aware of the confusion deceptive marketing and sales practices can create around Native-made arts and crafts and support every effort to protect authentic Alaska native art.

As a member of the Museums Alaska board of directors, I have been aware of the statewide need for revisions and some of the tremendous amount of work that has gone into these recommendations for revision through SB97. I strongly urge you to see this bill through.

*Quana (Thank you!)*

A handwritten signature in cursive script that reads "LaRue Barnes".

LaRue Barnes  
Director Ilanka Cultural Center

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From: gary murphy [eskimogary@hotmail.com]  
Sent: Friday, March 02, 2007 7:34 PM  
To: Sen. Gary Stevens  
Subject: Support Bill SB97

Senator Stevens, Please support Bill 197 . I am a Alaskan Native artist and fully support bill SB97. Sincerely Yours Gary R. Murphy

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Senator Gary Stevens  
State Capitol, Room 103  
Juneau, AK 99801-1182

March 5, 2007

Dear Senator Stevens,

I am writing in support of Senate Bill SB97 that would introduce modernizations to the Silver Hand Program and which represents a thorough analysis and synthesis of needs voiced by Alaska Native artists and the expertise of Alaska State Council on the Arts. The comprehensive and collaborative nature of the revisions ensures that proposed changes will increase the both the effectiveness of the Program and the degree to which it serves Alaska Native artists. At the same time, the revisions, particularly the strengthened enforcement of the Program, will improve the economic welfare of the artists and their families, while improving their economic contribution to the state.

Sincerely,

Dawn Biddison  
Assistant Curator  
Smithsonian Arctic Studies Center  
Alaska Regional Office  
121 W. 7th Ave.  
Anchorage, AK 99501  
Tel: 907-343-6131  
Fax: 907-343-6130  
biddisondd@ci.anchorage.ak.us

ARCTIC STUDIES CENTER  
Department of Anthropology  
10<sup>th</sup> and Constitution N.W.  
Washington DC 20560-0112  
(202) 357-2682 Telephone  
(202) 357-2684 Fax



Smithsonian  
National Museum of Natural History

ARCTIC STUDIES CENTER  
at the Rasmuson Center  
121 W. 7<sup>th</sup> Ave.  
Anchorage, AK 99501  
(907) 343-6131 Telephone  
(907) 343-6130 Fax

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# NORTH SLOPE BOROUGH

## PLANNING DEPARTMENT

Inupiat Heritage Center  
5421 North Star Street  
PO Box 69  
(907) 852-0422  
(907) 852-4224 Fax  
(907) 852-4594



March 5, 2007

Senator Gary Stevens  
State Capitol, Room 103  
Juneau, Alaska 99801

Dear Senator Stevens:

I am writing to express my support for SB97, a bill which links the Silver Hand permit program to the State of Alaska consumer protection and fair trade law.

Passage of this bill is extremely important as it will help strengthen agency enforcement capability and clarify consumer and permit holder protection. This bill will also help expand economic and creative opportunities for Alaska Native artists. Most importantly SB97 will help align with Federal language established in the Indian Arts and Crafts Act of 1990 and empower the state to promote and protect Silver hand permit holders.

Alaska Natives contribute significantly to statewide commerce and I strongly encourage your support to move the bill. Quyanaq.

Sincerely,

Dorcas Stein, Coordinator  
Inupiat Heritage Center

cc: Commissioners, Inupiat History, Language and Culture, North Slope Borough

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**From:** Sen. Gary Stevens  
**Sent:** Wednesday, March 07, 2007 9:10 AM  
**To:** Tim Lamkin  
**Subject:** FW: SB97 Silver Hand retooling

-----Original Message-----

**From:** Teri Rofkar [mailto:ravenart@gci.net]  
**Sent:** Tuesday, March 06, 2007 9:51 PM  
**To:** Sen. Gary Stevens; Saunders McNeill; Charlotte Fox  
**Subject:** SB97 Silver Hand retooling

Hello Gary Stevens,

Thank you for sponsoring this bill to retool the Silver Hand program. As a full time Native Artist, I am delighted to see some updated laws to fuel an economic opportunity throughout the state of Alaska. Money earned through the Native Arts most of the time contributes to a healthier financial profile for small villages, as well as the larger tourist hubs. I sat on the ASAC task force, and we are intentionally moving away from authenticating the art, which is vague and hard to enforce... while we move toward authenticating the Artists, by using existing protocols.

Streamlining the authentication process will help as we work towards tackling the big problem of counterfeit native art. A bill like this will bring us in line with Federal Laws. A recent article in AARP said that "up to half of the Native Crafts (sold in the US) are counterfeit"

stated Jill Moran, of the US Dept. of the Interior Indian Arts and Crafts Board... This problem is a national issue, and Alaskans, because of our self sufficient and CAN DO Attitude are a front runner in finding creative solutions. The Silver Hand program is part of that solution.

Thank you again for taking the first step.

Gunalcheesh, Ho, Ho,

Teri Rofkar  
820 Charles St.  
Sitka, AK 99835

March 6, 2007

Senator Gary Stevens  
Legislative Session Contact:  
State Capitol, Room 103  
Juneau, AK 99801-1182  
907-465-4925  
fax: 907-465-3517

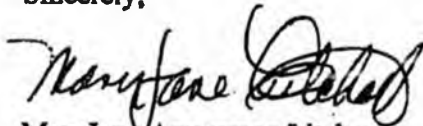
Dear Senator Gary Stevens,

The Bering Strait Inuit Council (BSIC) is highly supportive of SB97, which would help modernize the Silver Hand Program. Our small group supports regional artists in the Northwest Territory of Alaska for the survival of unique art forms to continue for future generations. BSIC has members who are federally recognized as indigenous groups. Silver Hand Members include Siberian Yupik, Yupik and Inupiaq artists from our region.

Our regional indigenous artists depend on this program to prove the authenticity of their handmade products. We desperately need to be protected from unauthorized imitations of our style of art. Our art helps to connect us to our cultural roots of successful survival in this northern hemisphere. Our ancestors struggled throughout the winter months yet created unique carvings that linked them to spiritual survival. We still depend on subsistence activities, and the arts and crafts we create for economic development. With the continuing rising costs of modern living and the threats of coastal erosions, our artists need this protection from this proposed bill.

We look forward to working with the Alaska State Council on the Arts to bring this program into the 21<sup>st</sup> century.

Sincerely,



MaryJane Anuqsraaq Litchard  
President  
Bering Strait Inuit Council  
P.O. Box 948  
Nome, Alaska 99762  
(907) 443-4248  
(907) 443-4449



ALASKA  
NATIVE  
HERITAGE  
CENTER

March 6, 2007

Senator Gary Stevens  
State Capitol, Room 103  
Juneau, AK 99801-1182

fax: 907-465-3517

Dear Senator Stevens:

We at the Alaska Native Heritage Center are in full support of SB97. This bill is based on surveys, discussions, and testimony in the Alaska Native arts community and builds upon a Native Artists Summit held at AFN in October 2007. At no cost to the state, SB97 accomplishes many critical objectives in serving artists statewide.

Among the bill's strengths:

- It establishes a relationship between Silver Hand permit holders and the Alaska State Council on the Arts, who administers the program.
- Critically important, it links the Silver Hand permit program to State of Alaska consumer protection and fair trade laws.
- It expands the definition of Native art to include contemporary works, which constitute a huge contribution to our state's economy and culture.
- It allows Alaska Native artists to use all materials – not just those termed “traditional” that are important in the creation of their art.
- It aligns with Federal language established in the Indian Arts and Crafts Act of 1990.
- Most importantly, it serves the needs of Alaska Native artists throughout the state.

I join many others in the Native community in support of this bill and thank you for your support as well.

Chin'an ("Thank you"),

  
Jonathan Ross, MBA  
President and CEO

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**From:** Gale Parsons [mailto:gparsons@prattmuseum.org]  
**Sent:** Wednesday, March 07, 2007 11:16 AM  
**To:** Sen. Gary Stevens  
**Subject:** Senate Bill SB97

7 March 2007

Dear Senator Stevens and Representative LeDoux,

Thank you for crafting Senate Bill (SB97) and companion House Bill (HB161) to update the Silver Hand program statutes. The proposed changes represent long requested and important improvements to this program for Alaska Native artists. As an artist and Exhibits Director of the Pratt Museum in Homer I have been aware of the program, its importance and inadequacies since arriving in Alaska 28 years ago or since the beginning of the program. I have worked closely with Alaska Native artists through my work at the Pratt beginning in 1995 and understand the frustrations outlined in the comments below that the Bills address.

1. Establish a primary service relationship between Silver Hand artists and the Alaska State Council on the Arts. The agent arm of the permit program will be removed.
2. Strengthen enforcement capability by linking Silver Hand statues to Alaska consumer protection and fair trade practices statutes. Civil penalties for the misuse of the Silver Hand emblem will be added. Aligns with Federal language established in the Indian Arts and Crafts Act of 1990.
3. Expand economic and creative opportunities by including contemporary Alaska Native artists and the materials deemed important in the creation of their. The statutes expand the definitions section and define eligible visual art mediums.
4. Enable Federally recognized Alaska Native Tribes and ANCSA to identify eligible permit holders. Reference to blood quantum will be removed.
5. Empowers the state to promote and protect Silver Hand permit artists who's work represents a very significant economic contribution to the state.

Thank you for addressing this need.

Sincerely,

Gale Parsons

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Gale Parsons, Director of Exhibits  
Pratt Museum  
3779 Bartlett Street  
Homer, AK 99603  
907-235-8635 x 36

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**From:** Vera Crews [mailto:consult@veracrews.com]  
**Sent:** Wednesday, March 07, 2007 1:52 PM  
**To:** Sen. Gary Stevens  
**Subject:** SB167

Please support SB 167 – which is meeting at the same time as I'm writing this, I think .....  
it should accomplish these things:

1. Establish a primary service relationship between Silver Hand artists and the Alaska State Council on the Arts. The agent arm of the permit program will be removed.
2. Strengthen enforcement capability by linking Silver Hand statutes to Alaska consumer protection and fair trade practices statutes. Civil penalties for the misuse of the Silver Hand emblem will be added. Aligns with Federal language established in the Indian Arts and Crafts Act of 1990.
3. Expand economic and creative opportunities by including contemporary Alaska Native artists and the materials deemed important in the creation of their. The statutes expand the definitions section and define eligible visual art mediums.
4. Enable Federally recognized Alaska Native Tribes and ANCSA to identify eligible permit holders. Reference to blood quantum will be removed.
5. Empowers the state to promote and protect Silver Hand permit artists who's work represents a very significant economic contribution to the state.

Thanks you,  
Vera Crews, Anchorage  
Alaska State Council on the Arts

From: sonya kellhercombs [mailto:kellihercombs@hotmail.com]  
Sent: Monday, April 02, 2007 12:08 PM  
To: Sen. Gary Stevens  
Subject:

Dear Senator Gary Stevens,

This letter is in support of the proposed update to the Silver Hand program, SB97. As a lifelong Alaskan and Alaska Native Artist I know the true need for an authentication program such as the Silver Hand. The proposed changes to the Silver Hand through SB97 will bring it into the next century. Our children and communities will be able to prosper through the use of this program for generations to come.

Thank you so much for your support of SB97.

Sincerely,

Sonya Kelliher-Combs

**Tim Lamkin**

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**From:** L. Saunders McNeill [saunders\_mcneill@eed.state.ak.us]  
**Sent:** Thursday, May 03, 2007 9:42 AM  
**To:** Tim Lamkin  
**Subject:** FW: Senate Bill 97

Tim,

Thought you might like to see this. Just as point of background John lost his wife a number of years ago and moved back to Mekoryuk with his four children. Incredible person. His art income, in part, allows him to support his four children.

Saunders

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**From:** OscarsFineArt [mailto:oscarsfineart@starband.net]  
**Sent:** Wednesday, May 02, 2007 6:44 PM  
**To:** Rep\_Mark\_Neuman@legis.state.ak.us  
**Cc:** rex\_shattuck@legis.state.ak.us; saunders\_mcneill@eed.state.ak.us  
**Subject:** Senate Bill 97

Honorable Representative Mark Neuman,

I am writing in support of Senate Bill 97 relating to the Silver Hand permit, "An Act relating to identification seals for certain articles created or crafted in the state by Alaska Native persons; relating to the Alaska State Council on the Arts; and making certain identification seal violations unfair trade practices."

I am a Silver Hand permit holder, and have been a participant for several years. I joined in hopes that the consumer of the "Alaska Native Handicraft" items may be able to distinguish fake art from the imitators who are not Native.

There is not enough support to the Silver Hand program from the State of Alaska that it has provided to the "Made in Alaska" insignia, and would require better language to enable support to the Silver Hand program. So that illegal production of the arts and crafts made by imitators will be enforced.

I recommend this first step to protecting rural communities who produce arts and crafts from illegal producers who take away our source of income in work-starved rural communities, and that if possible, offer better support by the state in enforcing the program.

John Oscar, Fine Artist  
Oscar's Originals  
PO Box 76  
Mekoryuk, AK 99630-0076  
(907) 827-8549 Studio  
Web: [www.oscarsoriginals.com](http://www.oscarsoriginals.com)  
Email: [oscarsfineart@starband.net](mailto:oscarsfineart@starband.net)

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**From:** Jimmy Carlisle [mailto:kingisland99762@hotmail.com]  
**Sent:** Thursday, May 03, 2007 11:44 PM  
**To:** Rep\_Mark\_Neuman@legis.state.ak.us  
**Cc:** rex\_shattuck@legis.state.ak.us  
**Subject:**

Honorable Rep. Neuman,

I support SB97 as it is written. Thank you for your consideration of this important legislation.

I have been part of the Silver program in the past, and when the chance arises, I do encourage other Native Artist to participate in the Silver Hand program. This program is a way for the Native Artist to insure the public that they are getting Authentic Native Crafts and something not made in some foreign country.

Thank you for your consideration with this matter.

Sincerely,  
Jimmy Carlisle,  
Vice President  
King Island Native Corporation  
And  
Native Artist

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