



LAWS OF ALASKA

1978

Source

FCCS SCSHB 756

Chapter No.

125

AN ACT

Relating to the identification of Alaska arts and handicrafts.

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

* Section 1. AS 45.65.010 is amended to read:

Sec. 45.65.010. IDENTIFICATION SEAL FOR HANDICRAFTS. A person who makes an authentic article of handicraft in the state may obtain an identification seal as specified in sec. 30 of this chapter to identify the article. The identification seal may be affixed only to authentic articles of handicraft made in the state.

* Sec. 2. AS 45.65.020 is amended to read:

Sec. 45.65.020. COMMISSIONER TO ADMINISTER SECS. 10 - 70 OF THIS CHAPTER. The commissioner is responsible for the administration of secs. 10 - 70 of this chapter, including (1) subject to sec. 30 of this chapter, the design, method of affixing, preparation, issuance, and control of identification seals and documents; (2) the issuance of permits to agents to distribute the seals and documents; (3) the supervision of the use of the seals and documents; and (4) the enforcement of the civil and criminal provisions of secs. 10 - 70 of this chapter.

* Sec. 3. AS 45.65.030 is repealed and re-enacted to read:

Sec. 45.65.030. DESIGN OF IDENTIFICATION SEALS AND ACCOMPANYING DOCUMENTS. (a) The official Native handicraft symbol is the silver hand symbol. It shall bear the words: "Authentic Native Handicraft from Alaska", and include a blank line for the artist's name and the place of origin of the article. If space permits on the seal, or, if not, in an accompanying document, it shall also state:

"This silver hand symbol is your guarantee that this is a genuine article, made in Alaska, hand-crafted and finished by an Alaskan Native artist or craftsman. Where possible, only Alaskan materials have been used to create this article, and to a great extent only traditional Native methods have been used."

(b) The official non-Native resident handicraft symbol is an outline of the state in silver. It shall bear in black letters the words: "Authentic handicraft from Alaska", and include a blank line for the artist's name and the place of origin of the article. If space permits on the seal, or, if not, in an accompanying document, it shall also state: "This symbol is your guarantee this is a genuine article, made in Alaska, hand-crafted by an Alaska resident artist or craftsman. Where possible, only Alaskan materials have been used to create this article."

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

Sec. 45.65.040. PERMITS TO ISSUE IDENTIFICATION SEALS. A resident of the state may apply to the commissioner for a permit as agent to issue identification seals and documents in the state. The commissioner may examine or investigate an applicant to determine whether the applicant has sufficient knowledge of the handicrafts, customs, and populace of the area in which he resides to identify authentic articles of handicraft, and may issue permits to qualified applicants. Permits shall be issued without charge. The permit may limit the authority of the agent to a certain geographical area or to a particular type of handicraft. The commissioner shall prescribe the form of the application and permit, the period for which the permit is valid, and the procedure for renewal of the permit.

- * Sec. 5. AS 45.65.050 is repealed and re-enacted to read:

Sec. 45.65.050. AFFIXING SEALS TO HANDICRAFT. A maker of handicraft may present the article of handicraft to an agent for an identification seal and accompanying document, if necessary, as specified in sec. 30 of this chapter. The agent shall, without charge, inspect and determine whether the article is an authentic article of Native or non-Native resident handicraft made in Alaska. If he determines it is authentic, he shall, without charge, affix the seal and present the document, if necessary, appropriate under sec. 30 of this chapter.

- * Sec. 6. AS 45.65.060 is repealed and re-enacted to read:

Sec. 45.65.060. PENALTIES. (a) A person who knowingly or wilfully issues the document for, or affixes or attaches the identification seal provided for in secs. 10 - 70 of this chapter to, an article knowing that it is not an authentic article of handicraft, or affixes or attaches the inappropriate seal, or issues the inappropriate document, under sec. 30 of this chapter, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both.

(b) A person who knowingly or wilfully sells or offers for sale an article with the seal affixed or attached and

issues the document, if required, under sec. 30 of this chapter, knowing that the article is not an authentic article of handicraft, or knowingly or wilfully sells or offers for sale an article with the inappropriate seal or document as provided in sec. 30 of this chapter, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both.

(c) A person who wilfully alters, changes, or counterfeits an identification seal or document is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both.

* Sec. 7. AS 45.65.070 is repealed and re-enacted to read:

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

(1) "authentic handicraft from Alaska" means an article made in the state by an Alaska resident artist or craftsman, and created with Alaskan materials where possible;

(2) "authentic Native handicraft" means an article made in the state which is composed wholly, or in some significant respect, of natural materials, and which is produced, decorated or fashioned by an Alaska Native;

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

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