



# LAWS OF ALASKA

1977

Source

FCCSHB 81

Chapter No.

83

## AN ACT

Relating to identification seals of Native crafts.

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

\* Section 1. 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) the design, method of affixing, preparation, issuance, and control of identification seals; (2) the issuance of permits to agents to distribute the seals; (3) the supervision of the use of the seals; and (4) the enforcement of the civil and criminal provisions of secs. 10 - 70 of this chapter.

\* Sec. 2. AS 45.65.030 is repealed and re-enacted to read:

Sec. 45.65.030. COMMISSIONER TO PREPARE IDENTIFICATION SEAL. (a) The commissioner shall prepare and design

(1) identification seals with a distinctive design bearing the words "An Authentic Resident Alaskan Craft Made in Alaska" which may not include the silver hand symbol; and

(2) identification seals incorporating the silver hand symbol and bearing the words "An Authentic Alaskan Indian Craft Made in Alaska", "An Authentic Alaskan Eskimo Craft Made in Alaska" or "An Authentic Alaskan Aleut Craft Made in Alaska".

(b) The seals shall have a letter symbol and color change to designate the area in the state in which the article was produced, and a number to designate the agent

or permittee in the area who authorized the use of the label.

- \* Sec. 3. 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 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. He may suspend or revoke the permit in the manner provided in art. 8 of the Administrative Procedure Act (AS 44.62.330 - 44.62.-630). Native craftspeople may apply to the commissioner for a special craftspeople permit. The commissioner shall ascertain whether the applicant is an Alaskan resident engaged in arts and crafts production. If this is the case, the craftspeople shall be issued a permit to use seals on his own crafts products.

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

Sec. 45.65.050. AFFIXING SEALS TO NATIVE HANDICRAFT. A maker having obtained a permit may place seals on articles manufactured by himself. Other craftspeople may present an article of handicraft to an agent for a seal. The agent shall, without charge, inspect and determine if the article is an authentic Native article of handicraft. If he determines it is authentic, he shall, without charge, affix the seal.

- \* Sec. 5. AS 45.65.060 is amended to read:

Sec. 45.65.060. PENALTIES. (a) A person who knowingly or wilfully 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, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$5,000, 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, knowing that the article is not an authentic article of handicraft, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both.

(c) A person who wilfully alters, changes, or counterfeits the identification seal is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both.

\* Sec. 6. AS 45.65.070 is amended by adding a new paragraph to read:

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