

1 IN THE SENATE

BY SENATORS MCNEALY AND POLLOCK

2 SENATE BILL NO. 215

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the lien for employment  
7 security contributions; and providing for  
8 an effective date."

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

10 Section 1. Sec. 514, Ch. 5, ESLA 1955, is amended to read:

11 Section 514. LIEN. The claim for any contributions,  
12 including interest and penalties, not paid when due shall be  
13 a lien in favor of the state [TERRITORY] against all the  
14 real and personal property of the employer [, AND ALSO UPON  
15 ALL THE REAL AND PERSONAL PROPERTY USED WITH THE PERMISSION  
16 OF THE OWNER THEREOF IN PROSECUTING THE BUSINESS OF THE EM-  
17 PLOYER]. In order to avail itself of the lien hereby created,  
18 the Commission shall file notice thereof with the recording  
19 officer [U. S. COMMISSIONER (RECORDING OFFICER)] of the  
20 recording district or districts in which said real or per-  
21 sonal property shall then be situated, or, with respect to  
22 motor vehicles, in the office of the Commissioner of Revenue  
23 [TAXATION OF THE TERRITORY OF ALASKA], and, subject to the  
24 provisions of Sec. 7(5), Ch. 124, SLA 1951, such filing  
25 shall, from and after the day and time thereof, constitute  
26 constructive notice of said lien against the property de-  
27 scribed therein to creditors of the owner, and to subsequent  
28 purchasers and encumbrancers. The lien hereby created is  
29 subject to [EXPRESSLY EXEMPT FROM] the provisions of Section

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7, Chapter 124, SLA 1951, as amended by Section 1, Ch. 8, SLA 1957, and Section 1, Ch. 20, SLA 1957 [EXCEPTING THE PROVISIONS OF SECTIONS 7 (1), (EXCLUSIVE OF SUBPARAGRAPHS (A) AND (B) THEREOF), 7 (3) AND 7 (5)].

When any such notice of lien has been so filed, the Commission may release the same by filing, in the manner prescribed for the filing of a notice of lien, a certificate of release when it shall appear that the amount of contributions, including interest, and penalties and costs, has been paid, or when such assurance of payment shall be made as the Commission deems adequate.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.