

1, Chapter 47, SLA 1955, is hereby amended to read as follows:

(h) As often as may be practicable, but at least once each quarter, the Tax Commissioner shall notify the Treasurer of the source of receipts, whether from aviation, boat or other motor fuels, for allocation to the proper funds, less the estimated amounts of refunds which have or may become due. Amounts estimated to become due as refunds shall be covered into a special fund in the Territorial Treasury to be known as the "Motor Fuel Tax Refund Fund", and shall be disbursed in payment of such refunds.

Sec. 3. Sec. 2 of Ch. 47, Session Laws of Alaska, 1955, is hereby amended to read as follows:

Sec. 2. Refund for Nonhighway or Foreign Use of Fuel. Any person who uses motor fuel, except aviation fuel or motor fuel used in commercial fishing crafts for purposes of commercial fishing, for the purpose of operating any internal combustion engine not used in nor in conjunction with any motor vehicle licensed to be operated over or along any of the public highways, roads,

trails, and streets, and as the motive power thereof, upon which the motor fuel tax has been paid, shall be entitled to and shall receive a refund of three (3) cents per gallon, provided that the entire tax levied by this Act shall be refunded to the purchaser on that portion of all motor fuel used in a foreign country on which duty is paid when such motor fuel is sold and delivered in Alaska for non-highway use in a foreign country. The Tax Commissioner shall establish the necessary regulations and prescribe appropriate forms to prove the carriage to, and the use of, such motor fuel in foreign countries.

Sec. 4. Section 11 of Ch. 47, SLA 1955 is hereby amended to read as follows:

Sec. 11. Criminal Violation: Misdemeanor. Any person using motor fuel with knowledge that the required tax has not been paid thereon shall be guilty of a misdemeanor, punishable by a fine of not to exceed \$500.00 or a prison sentence not to exceed one year or both.

Sec. 5. This Act shall take effect and be in force from and after March 1, 1957.

Approved March 4, 1957

CHAPTER 28

AN ACT

Relating to inheritance and estate taxes; imposing an additional tax in certain instances; and providing for filing returns and inventories with the Tax Commissioner; amending Secs. 48-4-4 and 48-4-8, ACLA 1949; and declaring an emergency.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. Sec. 48-4-4, ACLA 1949 is hereby amended by adding subsections (5) and (6) as follows:

(5) Where the tax imposed by the inheritance tax laws of Alaska is of a lesser amount than the maximum credit allowed on the tax owing the United States under the federal estate tax act, there is hereby imposed an additional tax in such amount that the amount of tax due Alaska shall be the maximum amount of the credit allowed under said federal estate tax act.

(6) Where no tax is imposed by the inheritance tax laws of Alaska because of the exemptions thereunder and a tax is due the United States under the federal estate tax act, a tax is hereby imposed in an amount equal to the maximum amount of the credit allowed under the federal estate tax act.

Sec. 2. Sec. 48-4-8, ACLA 1949 is hereby amended to read as follows:

Sec. 48-4-8. Duty of Executor or Administrator to Forward copy of Inventory and Appraisal to Tax Commissioner: Appraisal as Evidence: Copy of Federal Return and Inventory to be Filed. Every executor or administrator within thirty (30) days after the issuance to him of letters testamentary or of administration, or within such further time as the U. S. Commissioner and ex-officio probate judge may allow,

shall forward by registered mail to the Tax Commissioner of the Territory of Alaska, a full, true and correct copy of his inventory of all of the property of the decedent's estate which has come into his possession or knowledge, together with the appraisal thereof made in pursuance of the laws regarding the inventory and appraisal of estates of deceased persons. Such appraisal, in the absence of evidence to the contrary, shall be deemed the value of the property so appraised as of the date of the death of the decedent.

The executor or administrator of every decedent whose estate may be subject to the federal estate tax shall file with the Tax Commissioner within 12 months after the death of such decedent, one copy of the federal estate tax return and inventory, and in like manner, one copy of all supplemental or amended returns and inventories filed with the Bureau of Internal Revenue of the United States.

Such executor or administrator shall also file with the Tax Commissioner a copy of the corrected inventory and appraisal of the estate and the total amount of federal estate tax thereon, as finally determined by the Bureau of Internal Revenue of the United States.

Sec. 3. An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval.

Approved March 4, 1957