

a medical institution as a result thereof.

Any resident of the Alaska Pioneers' Home or other institution may, at any time he wishes to leave the institution,

make application for assistance under this program in lieu of the support and maintenance provided in such Home or institution.

Approved April 18, 1962

CHAPTER 155

AN ACT

Relating to shared taxes; amending Subsec. (C), Sec. 35-4-17, ACLA 1949, as last amended by Sec. 2, Ch. 197, SLA 1959; amending Sec. 48-3-6, ACLA 1949, as last amended by Sec. 6, Ch. 142, SLA 1960; amending Sec. 6, Ch. 116, SLA 1949, as last amended by Ch. 53, SLA 1951; amending Ch. 43, SLA 1949; repealing Ch. 66, SLA 1953; and providing for an effective date.

(2ndS.C.S.H.B. 122)

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

Section 1. Subsec. (C), Sec. 35-4-17, ACLA 1949, as last amended by Sec. 2, Ch. 197, SLA 1959, is amended to read:

(C) **Disposition of Funds.** All moneys collected or due the state for licenses under the provisions of this Act shall be deposited with the commissioner of revenue and covered into the general fund; all such moneys derived from the licenses issued excluding wholesale licenses within organized boroughs and all classes of cities shall be refunded semi-annually to said organized boroughs and all classes of cities; provided, however, that in the event of the failure of the officers of said organized boroughs and all classes of cities to actively enforce all of their ordinances, the law of the United States, the laws of the State of Alaska, and those regulations relative to the manufacture and sale of intoxicating liquors in the State of Alaska, the commissioner of revenue may deny said refund and no further moneys will be paid to said local government units until the enforcement of such laws and regulations is actively resumed within them.

Sec. 2. Sec. 48-3-6, ACLA 1949, as last amended by Sec. 6, Ch. 142, SLA 1960, is amended to read:

Sec. 48-3-6. **Distribution of Tax.** One-half of the proceeds of the gross revenue from the tax herein provided, excluding distributors' fees, penalties, and less the amount duly determined to have been spent by the state in its collection, shall

be refunded to organized boroughs and cities of the first, second, and third classes by action of the legislature in the proportion that such revenue was earned within them, and the balance shall be retained by the state and covered into its general fund.

Sec. 3. Sec. 6, Ch. 116, SLA 1949, as last amended by Ch. 53, SLA 1951, is amended to read:

Sec. 6. 75 percent of the tax on punchboards collected from sales thereof within organized boroughs and cities of the first, second, and third classes shall be refunded to such local government units, and the balance shall be deposited in the general fund of the State of Alaska.

Sec. 4. Sec. 11, Ch. 43, SLA 1949, is amended to read:

Sec. 11. **Disposal of Money.** All moneys collected by the commissioner of revenue under this Act shall be covered into the general fund of the state; provided, that the commissioner of revenue shall refund to organized boroughs and all classes of cities, incorporated and independent school districts, and public utility districts 60 percent of all such money collected from within said local government units.

Sec. 5. Ch. 66, SLA 1953, is repealed.

Sec. 6. The commissioner of revenue shall pay to each organized borough, city of the first, second, and third classes, incorporated or independent school district, and public utility district 10 percent of

the amount of tax revenue collected from within such municipality or district from taxes levied by Ch. 97, SLA 1949, as last amended by Ch. 102, SLA 1955, and Ch.

82, SLA 1949, as last amended by Ch. 113, SLA 1951.

Sec. 7. This Act takes effect on January 1, 1962.

Became law without signature April 19, 1962

CHAPTER 156

AN ACT

Relating to employee contributions and refunds payable under the Alaska Employment Security Act; and providing for an effective date.

(S.B. 218)

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

Section 1. Subsec. (b), Sec. 501, Art. V, Ch. 5, ESLA 1955, as amended by Sec. 16, Ch. 169, SLA 1957, and Sec. 7, Ch. 60, SLA 1960, is amended to read:

(b) Contributions with respect to wages paid on or after January 1, 1955, for employment shall accrue and become payable by each individual who performs service in employment for each calendar year in which such services are subject to this Act.

The contributions required from each such individual, in accordance with regulations prescribed by the commissioner, shall become payable, be deducted from his wages by his employer, and be held in trust by the employer for the commissioner until such time as such employee contributions are required by regulation to be deposited with the commissioner. Such funds shall not be subject to garnishment or attachment in any fashion, and in the event of lien, judgment, or bankruptcy proceedings, shall not be considered as assets of the employer. Any employer who shall fail to make such deductions from the wages of his employees shall himself be liable to the commissioner for the payment of such required contributions, which shall be collected from him in the same manner as is provided for the collection of employer contributions.

If any employer shall convert to his own use or otherwise misappropriate any funds so held in trust, he shall be required to pay to the commissioner for

deposit in the clearing account the amount so converted or misappropriated, together with a penalty equal to five times that amount but not less than \$25. In addition, if such conversion or misappropriation is willful, he shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$200, or imprisoned for not more than 60 days, or both.

Each employer shall maintain a record of the amount so deducted from the wages of each of his employees, and shall furnish a statement of such deductions to each employee at such times and in such manner as the commissioner shall prescribe by regulation. No such deduction shall be made from those wages in excess of the first \$7,200 of wages paid to an employee during any calendar year. In the event that an employee earns wages totaling in excess of \$7,200 in one calendar year in the employ of two or more employers, or in the event that any one employer through error shall have made such deductions from his wages in excess of \$7,200 during any one calendar year, the amount of such deductions in excess of those required by this Act shall be refunded to the employee by the commissioner upon application therefor in accordance with regulations prescribed by him, provided that such application is made during the calendar year immediately following the calendar year in which such deductions were made.

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

Approved April 19, 1962