

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-first and Ninety-second
Legislatures
OF THE
STATE OF MAINE

From April 10, 1943 to April 21, 1945
AND MISCELLANEOUS STATE PAPERS
From April 10, 1943 to May 24, 1945

Published by the Revisor of Statutes in accordance
with Chapter 10 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1945

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-second Legislature

1945

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Sec. 38. R. S., c. 90, § 13, amended. The 2nd sentence of section 13 of chapter 90 of the revised statutes is hereby amended to read as follows:

~~'Said~~ Such state tax assessor shall have the power and authority to assess taxes at any time after the act terminating the organization of the town or plantation becomes operative, by making assessment once a year under the laws now relating to the assessment of ~~taxes in towns by assessors, and committing the same to the treasurer of state for collection~~ state taxes in unorganized territory, and ~~said treasurer~~ of the state tax assessor shall have the same power and authority to enforce the collection of said taxes as is now provided for the collection of state taxes ~~so committed.~~'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective March 9, 1945

Chapter 42

AN ACT Relating to Assessment and Collection of State Taxes on Certain Corporations.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 14, § 103, amended. Section 103 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 103. Taxes, how assessed and when due and payable. On or before the 1st day of August, 1945, the secretary of state shall certify to the state tax assessor the corporate name, the name of the treasurer and the amount of authorized capital stock of each of such corporations. Thereafter he shall thus certify to the state tax assessor whenever a new corporation has been organized and whenever a change has occurred in the corporate name or the name of the treasurer or the amount of authorized capital stock of a corporation already organized. The state tax assessor shall, on or before the 1st day of July, annually, assess the tax provided by the preceding section upon the authorized capital stock of each of said corporations and shall ~~certify the same to the secretary of state, who shall thereupon~~ notify each of said corporations of the amount of said tax assessed to it, and such tax shall become due and payable from said corporation ~~into the state treasury~~ to the state tax assessor on the 1st day of September thereafter. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 2. R. S., c. 14, § 106, amended. Section 106 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 106. Proceedings when any company shall have been in arrears 6 months. The ~~treasurer~~ of state tax assessor, whenever any tax due under the provisions of the 4 preceding sections from any company shall have remained in arrears for a period of 6 months after the same shall have become payable, shall report the same to the attorney-general, who shall forthwith apply to the supreme judicial court or the superior court in equity in the name of the state, for the forfeiture of the charter of such delinquent corporation, and said court shall order such notice to all parties interested as it may deem proper and shall have jurisdiction in said cause to appoint receivers, issue injunctions, and pass interlocutory ~~degrees~~ decrees and orders according to the usual course of proceedings in equity, and to make such final orders and decrees as the nature of the case may require.'

Sec. 3. R. S., c. 14, § 107, amended. Section 107 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 107. Annual list to be prepared and published as herein provided. The ~~secretary~~ of state tax assessor shall annually prepare a list of all corporations that have failed to pay their annual franchise tax for the preceding year, giving the corporate name, the name of the treasurer last filed in the office of the secretary of state, and the amount of the tax due from each corporation, except those from which by reason of having been duly excused as provided by statute, or dissolved by decree of court, no franchise tax is due for such year, which list shall be published 3 times for 3 consecutive weeks in the month of August in 4 places within the state, namely, Lewiston, Bangor, Portland, and Augusta, in such newspapers in each place as the ~~secretary~~ of state tax assessor may select. If any corporation so advertised shall fail to pay all franchise taxes due the state for such year, and the expenses of advertising the same, on or before the 1st day of December following, ~~its charter shall be suspended~~ the state tax assessor shall so certify to the secretary of state who shall suspend its charter, and such corporation shall have no right to use the same.'

Sec. 4. R. S., c. 14, § 109, amended. Section 109 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 109. Annual returns of railroad companies; contents. Every railroad company incorporated under the laws of the state or doing business therein shall annually, ~~between the 1st and 15th days of April on or before the 15th day of May~~, return to the ~~secretary~~ treasurer of state, under

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~~oath of~~ signed by its treasurer, clerk or secretary, the amount of the capital stock of the corporation, the number and par value of the shares, by the respective classes thereof, and either a complete list of its shareholders or a list of shareholders resident within the state, with their places of residence and the number of shares belonging to each on ~~said~~ the 1st day of April. ~~The returns shall also contain a statement of the whole length of its line, the length of its line within the state, and the assessed value in each town of its stations and other property taxed by municipalities.~~ Such railroad company shall also annually, between the 1st and 15th days of April, return to the state tax assessor, signed by its treasurer or its chief accounting officer, a statement of the gross transportation receipts, the net railway operating income, the average number of miles operated in the system and the average number of miles operated in the state for the preceding calendar year.'

Sec. 5. R. S., c. 14, amended. Chapter 14 of the revised statutes is hereby amended by adding thereto a new section to be numbered 109-A to read as follows:

'Sec. 109-A. Penalty. Any corporation, company or person wilfully neglecting to make returns as provided in section 109 forfeits \$5 for every day's neglect, to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such railroad company who wilfully violates any provision of section 109 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

Sec. 6. R. S., c. 14, § 110, amended. The 1st sentence of section 110 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Every corporation, person, or association operating any railroad in the state under lease or otherwise shall pay to the ~~treasurer of~~ state tax assessor, for the use of the state, an annual excise tax for the privilege of exercising its franchises and the franchises of its leased roads in the state, which, with the tax provided for in section 4 of chapter 81, is in place of all taxes upon such railroad, its property, and stock.'

Sec. 7. R. S., c. 14, § 112, amended. Section 112 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 112. Tax, how fixed; notice to companies. The state tax assessor, on or before the 1st day of each May, shall determine the amount of the tax on railroad companies and ~~report the same to the treasurer of state,~~

who shall forthwith give notice thereof to the corporation, person, or association upon which the tax is levied.'

Sec. 8. R. S., c. 14, § 113, amended. Section 113 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 113. Tax, to whom and when payable. The tax on railroad companies shall be deemed an asset and credit of the state on the 15th day of June next after the levy is made and shall be payable 1/3 on the said 15th day of June, 1/3 on the 15th day of September, and 1/3 on the 15th day of December next following. Such tax shall be payable to the state tax assessor, who shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 9. R. S., c. 14, § 117, amended. Section 117 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 117. Taxation of owners of parlor cars. Every corporation or person owning or operating parlor or other cars for which extra compensation is charged for riding therein over any of the railroads of the state shall annually, on the ~~15th~~ 1st day of ~~June~~ April, pay to the ~~treasurer of state tax assessor~~ for the use of the state an annual excise tax for the privilege of exercising its franchise in the state, equal to 9% of its or his gross receipts from business done wholly in the state, for the ~~year ending May 1st next~~ preceding calendar year. Except that the report filed on March 1, 1946 shall contain a record of the receipts for that portion of the calendar year of 1945 not covered by the report filed in 1945.'

Sec. 10. R. S., c. 14, § 118, amended. Section 118 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 118. Returns to state tax assessor; tax in place of local taxation. Every corporation or person owning or operating parlor or other cars for which extra compensation is charged for riding therein over the railroads of the state shall, by its properly authorized agent or officer annually on or before the ~~15th~~ 1st day of ~~May~~ March, make a return ~~under oath~~ to the state tax assessor, stating the amount of such gross receipts; whereupon the said assessor shall on or before the ~~1st~~ 15th day of ~~June~~ March assess the tax herein provided and ~~forthwith certify the same to the treasurer of state,~~ who shall thereupon notify said corporations or persons. ~~Said~~ Such tax shall be paid ~~into~~ to the state ~~treasury~~ tax assessor on or before the ~~15th~~ 1st day of ~~June~~ April following and is in place of all local taxation upon the cars and equipment of said corporations or persons used in carrying on

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business in the state. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 11. R. S., c. 14, § 119, amended. Section 119 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 119. Penalty. Any corporation or person wilfully neglecting to make returns according to the provisions of the preceding section forfeits ~~\$25~~ \$5 for every day's neglect, to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such companies operating parlor cars who wilfully violates any provision of section 118 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

Sec. 12. R. S., c. 14, § 120, amended. Section 120 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 120. Returns of corporations or persons operating telephone or telegraph lines. Every corporation, association, or person operating in whole or in part a telephone or telegraph line for toll or other compensation within the state shall annually, ~~between the 1st and 15th days of April~~ on or before May 15th, return to the ~~secretary~~ treasurer of state ~~under oath~~ ~~of~~ signed by its treasurer, clerk or secretary ~~if a~~ of the corporation, the amount of the capital stock of the corporation, the number and par value of the shares, and a complete list of its shareholders resident within the state, with their places of residence, and the number of shares belonging to each on ~~said~~ the 1st day of April; if the line is operated by a ~~person~~ an association or ~~association~~ person, the owner or owners or the members of the association, or one of them, shall annually make a return ~~under oath~~ to the ~~secretary~~ treasurer of state, ~~between the 1st and 15th days of April~~ on or before May 15th, of the names and residences of the owner or owners, or members of an association, and the relative interest each owner has in the line so operated, or that each member has in any such association on the 1st day of April; provided that any corporation may include in its return a statement of the whole amount of its capital stock owned in the state and if no apportionment or payment is required to be made by the state to the several cities and towns under the provisions of section 121, it may exclude from its return the list of its shareholders resident within the state and the number of shares belonging to each. ~~The returns shall also contain a statement of the assessed value in each town of the real estate of such corporation, association, or person used solely for the conduct of a telephone or telegraph business and taxed by any municipality and the gross receipts of such corporation, association, or person collected~~

within this state on account of its telephone or telegraph business during the preceding year ending December 31st. Such corporation, association or person shall also annually, between the 1st and 15th days of April, return to the state tax assessor, signed by its treasurer or its chief accounting officer if a corporation, or by the owner or owners, or by the members of an association, or one of them, if a person or association, a statement of the gross receipts of such corporation, association or person collected within this state on account of its telephone or telegraph business during the preceding year ending December 31st.'

Sec. 13. R. S., c. 14, amended. Chapter 14 of the revised statutes is hereby amended by adding thereto a new section to be numbered 120-A and to read as follows:

'Sec. 120-A. Penalty. Any corporation, association or person wilfully neglecting to make returns as provided in section 120 forfeits \$5 for every day's neglect, to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such telephone or telegraph company who wilfully violates any provision of section 120 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

Sec. 14. R. S., c. 14, § 121, amended. Section 121 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 121. State taxation of telephone and telegraph companies; apportionment to cities and towns. Every corporation, association, or person operating in whole or in part a telephone or telegraph line within the state for tolls or other compensation shall pay to the ~~treasurer~~ of state tax assessor, for the use of the state, an annual excise tax for the privilege of conducting such business within the state, which tax, with the tax provided for in section 126, is in place of all taxes upon the property of such corporation, association, or person employed in such business, and of all taxes upon the shares of the capital stock of any such corporation.

There shall be apportioned and paid by the state from the taxes collected under this section to the several cities and towns in which on the 1st day of April in each year is held stock of any such corporation, or in which resides the owner or owners of an interest in any telegraph or telephone lines operated by any association or person not a corporation and taxed under this section, an amount equal to 1% on the value of such stock on that day as determined by the state tax assessor, if a corporation; and, if not a corporation, such proportion of the amount of such excise tax paid

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~~into~~ to the state ~~treasury~~ tax assessor by the association, person, or persons operating such line as such interest owned by a resident in any such municipality bears to the whole ownership; provided, however, that the total thus apportioned on account of such stock, if a corporation, shall not exceed the sum received by the state as a tax on account of such corporation; and provided further, that there shall not be apportioned on account of any such corporation a greater part of the whole tax received by the state from such corporation than the proportion which the amount of capital stock of such corporation owned in this state bears to the whole amount of the capital stock of such corporation, and that, in the case of any corporation of which not exceeding 2% of the capital stock is owned in the state, no apportionment and payment shall be made unless the amount to be apportioned and paid shall exceed the sum of \$250.'

Sec. 15. R. S., c. 14, § 123, amended. Section 123 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 123. Tax to be determined; notice to companies. The state tax assessor on or before the 1st day of May annually shall determine the amount of the tax on telephone and telegraph companies and ~~report the same to the treasurer of state, who~~ shall forthwith give notice thereof to the corporation, association, or person upon which the tax is levied.'

Sec. 16. R. S., c. 14, § 124, amended. Section 124 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 124. Payment of tax; lien. The tax on telephone and telegraph companies shall be paid to the ~~treasurer of state tax assessor~~ on or before the 1st day of June annually. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily. ~~Said~~ Such tax shall be a lien on the property of such corporation, and on its franchise, and upon the property used in operating a telephone or telegraph business by any such association or person, and takes precedence over all other liens.'

Sec. 17. R. S., c. 14, § 127, amended. Section 127 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 127. Companies and persons doing express business to apply annually for license and to pay tax. Every corporation, company, or person doing express business on any railroad, steamboat, or vessel in the state shall, annually before the 1st day of May, apply to the ~~treasurer of state tax assessor~~ for a license authorizing the carrying on of said business and any such corporation, company, or person neglecting to make application

as aforesaid shall be punished by a fine of \$50, to be recovered by complaint or indictment; every such corporation, company, or person shall pay to the ~~treasurer of state tax assessor~~ 4% of the gross receipts of said business ~~for each 10 month period done during the preceding calendar year.~~ Said 4% shall be on all business done in the state, including a proportional part on all express business coming from other states or countries into this state, and all going from this state to other states or countries, provided, however, that nothing herein applies to goods or merchandise in transit through the state.'

Sec. 18. R. S., c. 14, § 128, amended. Section 128 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 128. Annual return to state tax assessor; assessment of tax. Every such corporation, company, or person coming under the provisions of the preceding section shall, by its properly authorized agent or officer, annually on or before the 1st day of ~~February~~ March make a return ~~under oath~~ to the state tax assessor, stating the amount of said receipts for all express matter carried within the state as specified in the preceding section; whereupon the said state tax assessor shall, on or before the 15th day of ~~February~~ March following, assess the tax therein provided and ~~forthwith certify the same to the treasurer of state, who~~ shall thereupon notify said corporations, companies, or persons, and said taxes shall be paid ~~into~~ to the state ~~treasury~~ tax assessor on or before the 15th day of ~~March~~ April following. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 19. R. S., c. 14, § 130, amended. Section 130 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 130. Penalty. Any corporation, company, or person wilfully neglecting to make returns according to section 128 forfeits ~~\$25~~ \$5 for every day's neglect, to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such express company who wilfully violates any provision of section 128 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

Sec. 20. R. S., c. 14, § 141, amended. Section 141 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 141. Assessment of tax; notice; suspension for non-payment. The taxes imposed by sections 133, 137 and 140, respectively, shall be assessed

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by the state tax assessor on or before the 1st day of April upon the certificate of the insurance commissioner to be ~~seasonably~~ furnished therefor on or before the 25th day of March, annually, and ~~certified to the treasurer of state on or before the 1st day of April~~ and the same shall be paid to the state tax assessor on or before the 1st day of May following. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily. The ~~treasurer of state tax assessor~~ shall notify the several companies, and the agent, attorney, or other representative mentioned in the preceding section, and unless the tax is paid as aforesaid, the insurance commissioner shall suspend the right of the company, agent, attorney, or other representative to do any further business in the state until the tax is paid.'

Sec. 21. R. S., c. 14, § 142, amended. Section 142 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 142. Return of assets, loans, investments and deposits; state tax assessor to fix market values. Every savings bank incorporated under the laws of the state shall, semiannually, on the last Saturdays of March and September, make a return, signed ~~and sworn to~~ by its treasurer, of the average amount of its deposits, reserve fund, and undivided profits for the 6 months ending on each of said days, together with a statement in detail of its assets, loans, and investments, and its deposits within and without the state, in separate columns. Such return shall also include a statement of the par value, cost to the bank, and the book value of each item of assets claimed to be deductible under the provisions of the following section. ~~Said~~ Such return shall be made to the ~~bank commissioner~~ state tax assessor on or before the 1st Saturdays of April and October, and within 30 days thereafter, he shall fix and determine the book values of the investments aforesaid and ~~transmit the same with such values so determined to the state tax assessor~~ for the assessment required by the following section.'

Sec. 22. R. S., c. 14, § 143, amended. Section 143 of chapter 14 of the revised statutes is hereby amended by repealing the last 2 sentences and enacting in place thereof the following:

'The state tax assessor shall forthwith notify the several banks interested. All taxes so assessed shall be paid semiannually to the state tax assessor within 10 days after the 15th days of May and November. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 23. R. S., c. 14, amended. Chapter 14 of the revised statutes is hereby amended by adding thereto a new section to be numbered 144-A to read as follows:

'Sec. 144-A. Penalty. Any savings bank wilfully neglecting to make returns according to section 142 forfeits \$5 for every day's neglect, to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such savings bank who wilfully violates any provision of section 142 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

Sec. 24. R. S., c. 14, § 145, amended. Section 145 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 145. Required to make semiannual returns to state tax assessor; rate of taxation. Every loan and building association doing business in this state shall semiannually on the last secular days of March and September make a return, signed ~~and sworn to~~ by its secretary, of the monthly capital dues paid in by its shareholders during the 6 months ending on each of said days from which there shall be deducted, however, such amount of said monthly capital dues as may have been credited to real estate loans during said periods. ~~Said~~ Such returns shall be made to the state tax assessor on or before the 2nd Mondays of April and October ~~and for wilfully making a false return, the secretary shall be punished by a fine of not less than \$500, nor more than \$5,000, to be recovered by complaint or indictment.~~ The treasurer of such association shall pay to the ~~treasurer of~~ state tax assessor a tax of $\frac{1}{2}$ of 1% on the amount of monthly capital dues so returned.'

Sec. 25. R. S., c. 14, § 146, amended. Section 146 of chapter 14 of the revised statutes is hereby amended by adding at the end thereof a new sentence to read as follows:

'The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 26. R. S., c. 14, amended. Chapter 14 of the revised statutes is hereby amended by adding thereto a new section to be numbered 147-A to read as follows:

'Sec. 147-A. Penalty. Any such association wilfully neglecting to make returns according to section 145 forfeits \$5 for every day's neglect, to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such loan and building association who wilfully violates any provision of section 145 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

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Sec. 27. R. S., c. 14, § 152, amended. Section 152 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 152. Trust companies to semiannually return the amount of certain deposits; valuation of securities. Every trust company incorporated under the laws of this state shall, semiannually on the last Saturdays of March and September, make a return signed ~~and sworn to~~ by its treasurer, of the average amount of its time deposits and its deposits bearing any interest for the 6 months preceding each of said dates, together with the statement in detail of the average amount of United States obligations owned for a period of 3 months prior to date of return, and all bonds, notes, and other obligations issued after the 1st day of February, 1909, by this state or any county, municipality, village corporation, light and power district, bridge district, pier site district, school district, or water district therein, the shares of corporation stocks such as are by law of this state free from taxation to the stockholders, and such notes and bonds secured by mortgages on real estate in this state as are exempt from taxation in the hands of individuals. Such returns shall also include a statement of the par value, cost to the bank, and the book value of each item of such assets. ~~For wilfully making a false return, the treasurer of the corporation shall be punished by a fine of not less than \$500, nor more than \$5,000. Said~~ Such return shall be made to the ~~bank commissioner~~ state tax assessor, on or before the 1st Saturdays of April and October, and within 30 days thereafter, he shall fix and determine the cost to such company of the investments aforesaid ~~and transmit said returns with such cost so determined to the state tax assessor~~ for the assessment required by the following section.'

Sec. 28. R. S., c. 14, § 153, amended. Section 153 of chapter 14 of the revised statutes is hereby amended by repealing the last sentence and enacting in place thereof the following:

'The said tax assessor shall forthwith notify the several trust companies interested, and all taxes so assessed shall be paid to the state tax assessor semiannually within 10 days after the 15th days of May and November. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 29. R. S., c. 14, amended. Chapter 14 of the revised statutes is hereby amended by adding thereto a new section to be numbered 154-A to read as follows:

'Sec. 154-A. Penalty. Any such trust company wilfully neglecting to make returns according to section 152 forfeits \$5 for every day's neglect,

to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such trust company who wilfully violates any provision of section 152 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

Sec. 30. R. S., c. 14, § 155, amended. . Section 155 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 155. Proceedings in case of failure to make returns and pay tax; authority of state tax assessor to examine books. If any corporation, company, association or person fails to make the returns required by sections 118, 120, 128, 142, 145, ~~and~~ 152 and 156, the state tax assessor shall make an assessment of a state tax upon such corporation, company, association or person on such valuation, or on such gross receipts thereof, as the case may be, as he thinks just, with such evidence as he may obtain, and such assessment shall be final. The state tax assessor or his duly authorized agent shall have access to the books of any corporation, company, association or person required to make returns under the provisions of sections 118, 128, 142, 145, 152 and 156, to ascertain if the required returns are correctly made. If any corporation, company, association, or person fails to pay the taxes required or imposed by sections 110, 117, 121, 127, 143, 146, ~~and~~ 153 and 157, the ~~treasurer~~ of state tax assessor shall forthwith commence an action of debt, in the name of the state, for the recovery of the same with interest at the rate of 10% a year. In addition to other remedies for the collection of state taxes upon any corporation, such taxes with interest at the rate of 10% a year may be recovered by an action of debt in the name of the state.'

Sec. 31. R. S., c. 14, § 156, amended. Section 156 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 156. Trust companies and national banking institutions to file list of common stockholders and inventory of real estate and other taxable property, together with memorandum of assessed value. On or before April 15th of each year, the treasurer of every trust company organized under the laws of this state and the cashier of every banking institution formed under the laws of the United States, doing business in this state, shall send to the state tax assessor a ~~certified~~ list of all common stockholders and their residences, showing the number of shares owned by each on the 1st day of April, together with the value of the real estate, vaults, and safe deposit plant owned by each trust company or banking institution, which is taxed as other real estate is taxed in the town in which it is located, and the amount for which said real estate, vaults, and safe deposit

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plant was valued by the assessors of such municipality for the year previous.'

Sec. 32. R. S., c. 14, § 157, amended. Section 157 of chapter 14 of the revised statutes is hereby amended to read as follows:

'Sec. 157. State tax assessor to assess a tax of 15 mills on stock of trust companies and national banking institutions; to pay the tax to state tax assessor; may collect same from stockholders; appeal. The state tax assessor shall determine the value of shares of stock reported, as provided for in the preceding section, and deduct therefrom the proportionate part of the assessed value of such real estate, vaults, and safe deposit plant. Upon the value of said shares so determined after making said deductions, the said tax assessors shall assess an annual tax of 15 mills for each dollar of such assessed value so determined, and shall, on or before the 1st day of June, ~~certify said assessments to the treasurer of state, who shall forthwith~~ notify said trust companies and banking institutions. All taxes so assessed shall be paid by said trust companies and banking institutions to the ~~treasurer of state tax assessor~~ on or before the 1st day of July, and said tax shall be in lieu of all municipal or other taxes upon said stock, and said trust companies and banking institutions may charge the tax so paid pro rata to the individual stockholders thereof. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Any party in interest aggrieved by the valuation of the shares of any trust company or national banking institution made by the said state tax assessor may claim an appeal to the superior court at any time before said 1st day of July. Such appeal shall be filed in the office of the clerk of said court in the county where such trust company or banking institution is located, and shall be heard and determined at the next term thereof held after said date. Notice and hearing of such appeal shall be given and held in the manner provided by section 43 of chapter 81. The decision of the court upon such appeal shall be certified by the clerk to the said state tax assessor who shall thereupon assess a tax of 15 mills upon the valuation of such shares as fixed by the court, and shall ~~forthwith certify such assessment to the treasurer of state who shall~~ give notice thereof to the trust company or banking institution whose shares are affected thereby, and the tax so assessed, with interest at 6% from July 1st of the year for which the tax is assessed, shall be paid to the ~~treasurer of state tax assessor~~ within 30 days thereafter. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily.'

Sec. 33. R. S., c. 14, amended. Chapter 14 of the revised statutes is hereby amended by adding thereto a new section to be numbered 158-A to read as follows:

'Sec. 158-A. Penalty. Any trust company or national banking institution wilfully neglecting to make returns according to section 156 forfeits \$5 for every day's neglect, to be recovered by an action of debt in the name of the state. Any officer, agent or employee of such trust company or national banking institution who wilfully violates any provision of section 156 shall be punished by a fine of not less than \$100 nor more than \$500 for each offense, to be recovered by indictment to the use of the state.'

Effective July 21, 1945

Chapter 43

AN ACT Relating to Registration for Professional Engineers.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 74, § 12, sub-§§ I, II, amended. Subsections I and II of section 12 of chapter 74 of the revised statutes are hereby amended to read as follows:

I. Graduation from an approved course in engineering of 4 years or more in a school or college approved by the board as of satisfactory standing; and a specific record of an additional 3 4 years or more of active practice in engineering work, and indicating that the applicant is competent to be placed in responsible charge of such work; or

II. Successfully passing a written, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation from an approved 3 4-year engineering course and a specific record of 8 years or more of active practice in engineering work and indicating that the applicant is competent to be placed in responsible charge of such work.'

Sec. 2. R. S., c. 74, § 16-A, additional. Chapter 74 of the revised statutes is hereby amended by inserting therein a new section to be numbered 16-A, to read as follows:

'Sec. 16-A. Exemptions from expiration and renewal fees. Any person holding a valid certificate of registration under the provisions of this chap-