

MAINE STATE LEGISLATURE

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CHAPTER 563

ESTATE TAX

Sec.

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§ 3741. Additional tax; rate

There shall be assessed by the State Tax Assessor, in addition to the inheritance tax provided, an estate tax upon all estates which are subject to taxation under the Federal Revenue Act of 1926 as heretofore amended. Said tax is imposed upon the transfer of the estate of every person, who at the time of his death was a resident of this State. The amount of said tax shall be the amount by which 80% of the estate tax payable to the United States under said Federal Revenue Act shall exceed the aggregate amount of all estate, inheritance, legacy and succession taxes actually paid to the several states of the United States in respect to any property owned by such decedent, or subject to such taxes as a part of or in connection with his estate.

Said tax shall be imposed upon the transfer of all real property or tangible personal property situated within the State and passing by reason of the death of a person who was not a resident of this State at the time of his death. The amount of said tax shall be the amount by which 80% of the estate tax payable to the United States by reason of the transfer of such property exceeds the aggregate of the taxes payable thereon under sections 3462, 3463 and 3464.

R.S.1954, c. 155, § 38.

§ 3742. Due date

Said estate tax shall become payable at the expiration of 15 months from the date of death of the decedent, and executors, administrators, trustees, grantees, donees, beneficiaries and surviving joint owners shall be and remain liable for the tax until it is paid. If the tax is not paid when due, interest at the rate of 10% annually shall be charged and collected from the time the same became due. The State Tax Assessor may, for cause, ex-

tend the time of payment. The State Tax Assessor shall pay over all receipts from such taxes and interest to the Treasurer of State daily.

R.S.1954, c. 155, § 39.

§ 3743. Intent of provisions

The intent and purpose of this chapter, imposing an estate tax, is to obtain for this State the benefit of the credit allowed under Title III, section 301, subsection (b) of the Federal Revenue Act of 1926 to the extent that this State may be entitled by this chapter by imposing an additional tax, and the same shall be liberally construed to effect this purpose. The State Tax Assessor may make such regulations relative to the assessment and the collection of the tax provided by this chapter, not inconsistent with law, as may be necessary to carry out this intent.

R.S.1954, c. 155, § 40.

§ 3744. Exceptions

This chapter shall become void and of no effect in respect to the estates of persons who die subsequent to the effective date of the repeal of Title III of said Federal Revenue Act or of the provisions thereof providing for a credit of the taxes paid to the several states of the United States not exceeding 80% of the tax imposed by said Title III. If any portion of this chapter relating to said estate tax is held unconstitutional such decision shall not invalidate the portions unaffected thereby. In the event that any part of the Federal Revenue Act or federal Estate Tax Law, hereinbefore referred to, shall be declared to be in violation of the Constitution of the United States, such declaration shall not be construed to affect this chapter relating to estate tax.

R.S.1954, c. 155, § 41.

§ 3745. Inheritance tax law as applicable to estate tax law

Chapters 551 to 567, relating to inheritance taxes, shall apply to the sections relating to estate taxes wherever the same are applicable.

R.S.1954, c. 155, § 42.