

MAINE STATE LEGISLATURE

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 ONE - HUNDREDTH LEGISLATURE

Legislative Document

No. 986

H. P. 708

House of Representatives, January 26, 1961

Referred to Committee on Taxation. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Albair of Caribou.

 STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

 AN ACT Increasing Sales Tax.

Emergency preamble. Whereas, the essential needs of State Government require that additional revenue be raised by this Legislature; and

Whereas, the revenue to be collected under this act may not be sufficient to provide for said needs during the next fiscal biennium unless the tax is imposed on retail sales as soon as it is administrative'y feasible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. R. S., c. 17, § 3, amended. The first sentence of section 3 of chapter 17 of the Revised Statutes, as last amended by section 7 of chapter 350 of the public laws of 1959, is further amended to read as follows:

'A tax is imposed at the rate of ~~3%~~ 4% on the value of all tangible personal property, sold at retail in this State **on and after August 1, 1961**, measured by the sale price, and upon the total rental charged for living quarters, sleeping or housekeeping accommodations in hotels, rooming houses, tourist or trailer camps, except as in this chapter provided.'

Sec. 2. R. S., c. 17, § 4, amended. The first sentence of section 4 of chapter 17 of the Revised Statutes, as amended by section 2 of chapter 402 of the public laws of 1957, is further amended to read as follows:

'A tax is imposed on the storage, use or other consumption in this State of tangible personal property, purchased at retail sale **on and after August 1, 1961**, at the rate of ~~3%~~ 4% of the sale price.'

Sec. 3. R. S., c. 17, § 5, amended. Section 5 of chapter 17 of the Revised Statutes, as last amended by section 3 of chapter 402 of the public laws of 1957, is further amended to read as follows:

'**Sec. 5. Adding tax to sale price.** Every retailer shall add the sales tax imposed by this chapter, or the average equivalent of said tax, to his sale price, except as otherwise provided, and when added the tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. When the sale price shall involve a fraction of a dollar, the tax shall be added to the sale price upon the following schedules:

Amount of Sale Price	Amount of Tax
\$0.01 to \$0.11 \$0.10, inclusive	0c
.15 .11 to .39 .25, inclusive	1c
.40 .26 to .74 .50, inclusive	2c
.75 .51 to .99 .75, inclusive	3c
.76 to .99, inclusive	4c

When the sale price exceeds 99c, the tax to be added to the price shall be ~~3c~~ 4c for each whole dollar, plus the amount indicated above for each fractional part of a dollar.

When several articles are purchased together and at the same time, the tax shall be computed on the total amount of the several items.

Breakage under this section shall be retained by the retailer as compensation for the collection.'

Sec. 4. Effective date. Sales made after July 31, 1961, pursuant to contracts entered into prior thereto, shall be subject to the tax imposed by this act.

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