

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 310

In House of Representatives, Feb. 23, 1915.

Tabled for printing by Mr. Higgins of Brewer.

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT Establishing a Uniform Tax on Intangible Personal
Property.

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

Section 1. Intangible personal property of the classes
2 hereinafter enumerated, belonging to the inhabitants of this
3 state, is hereby exempted from all taxation other than that
4 imposed by this act, and shall hereafter be subject to an an-
5 nual tax of three mills on each dollar of the fair cash value
6 thereof, viz: Money on hand, on deposit, or at interest,
7 and other debts due the person to be taxed; public stocks
8 and securities, all stocks, bonds, loans secured by mortgages
9 on real estate situated in this state, and notes or other evi-
10 dence of indebtedness, of all corporations within or with-
11 out the state, but nothing in this act shall be so construed

12 as to apply to any property previously exempted from taxa-
13 tion, under the provisions of chapters eight and nine of the
14 revised statutes, and acts in amendment thereof, excepting
15 loans secured by mortgages on real estate situated in this
16 state.

Sect. 2. Nothing in section one shall be so construed as
2 to affect the method now in use for the taxation of savings
3 banks and trust companies, and the provisions of chapter
4 nine, revised statutes, for the return, and taxation of shares
5 of bank, or other stock, not otherwise exempt, held by per-
6 sons residing out of the state, or whose residence is un-
7 known to the assessors, shall remain in force, but the rate
8 shall be as provided in section one of this act.

Sect. 3. The tax levied upon the classes of property enum-
2 erated in section one, shall be assessed to the owner in the
3 city, town or plantation in which he is an inhabitant on the
4 first of April, and assessors shall follow the rules prescribed
5 in chapter nine of the revised statutes, except as hereinafter
6 provided.

Sect. 4. On or before the first day of April in each year,
2 the assessors in each city, town and plantation, shall re-
3 quire the taxable inhabitants thereof, to bring in to the said
4 assessors a true list of their intangible property as defined
5 in section one of this act, which list shall be in such form
6 as the board of state assessors shall prescribe, and shall be
7 upon a separate blank from that upon which other personal
8 property may be listed.

Sect. 5. The board of state assessors shall cause to be
2 printed, and shall furnish to the assessors in each city, town
3 and plantation, blank lists for the return of property tax-
4 able under this act, and the assessors shall distribute said
5 lists to every person liable to taxation under this act.

Sect. 6. The assessors shall in all cases require a person
2 bringing in a list, to make oath that it is true, and this oath
3 shall be made in such form as the board of state assessors
4 shall from time to time prescribe. Such lists shall be open
5 to the assessors, their assistants and clerks, and to the board
6 of state assessors, and its assistants and clerks, when acting
7 under its authority, but the details of the lists made by tax
8 payers, shall be disclosed to no other person, except by order
9 of court; and any assessor, or other person, who shall dis-
10 close such details, shall be liable to a fine of not less than
11 one hundred dollars, or more than five hundred dollars.
12 The lists shall be preserved by the assessors, until the board
13 of state assessors gives permission for their destruction.

Sect. 7. The assessors shall receive as true, except as to
2 valuation, the list brought in by each person, unless he re-
3 fuses to answer on oath, if requested, all reasonable and
4 necessary inquiries as to the nature and amount of his prop-
5 erty taxable under the provisions of this act.

Sect. 8. The assessors shall ascertain as nearly as possible,
2 the particulars of the personal estate taxable under this act,
3 of any person who has not brought in such list before the
4 date specified in section four of this act, and shall estimate

5 its just value according to their best information and belief.
6 They shall also add thereto, as a penalty, fifty per cent of
7 the estimated value of such property, and such estimate,
8 with the penalty of fifty percent, shall be entered in the
9 valuation books, and shall be conclusive upon any person
10 who has not seasonably brought in a list of property taxable
11 under this act, as enumerated in section one, unless he can
12 show a satisfactory excuse for the omission, in which case
13 the fifty per cent added as penalty may be deducted.

Sect. 9. Any person aggrieved by the action of any board
2 of assessors, in determining the value of any of the classes
3 of property enumerated in section one, may apply for abate-
4 ment of any excessive tax, caused by error, or over valua-
5 tion, using the same procedure as provided under chapter
6 nine of the revised statutes as amended by chapter twenty-
7 six of the public laws of nineteen hundred five.

Sect. 10. The board of state assessors is hereby author-
2 ized, at its own instance, or on complaint made to it, to cause
3 to be listed for purposes of taxation, in any city, town or
4 plantation, property taxable under this act, and not listed
5 by the assessors of such city, town or plantation, using the
6 same methods for determining values, etc., as provided in
7 section eight of this act. Any person aggrieved shall be
8 entitled to the right of appeal provided by section nine of
9 this act.

Sect. 11. When a person subject to taxation upon his in-
2 tangible property under this act is taxed for such property,

3 and thereafter removes to another city, town or plantation,
4 the assessors of such other city, town or plantation, in case
5 he does not seasonably bring in a list of his intangible prop-
6 erty, shall assess him for an amount not less than that for
7 which he was assessed in the city, town or plantation from
8 which he removed.

Sect. 12. In order to carry out the provisions of this act,
2 the board of state assessors is authorized to employ neces-
3 sary assistants, and clerks, at an expense not to exceed two
4 thousand dollars yearly, to be allowed by the governor and
5 council.

Sect. 13. Any assessor, or other official, who wilfully neg-
2 lects, or refuses to perform any duty imposed on him by this
3 act, shall be punished by a fine of not less than fifty dollars
4 or more than two hundred dollars.

Sect. 14. Property taxable under this act shall not be
2 included in the valuation list which assessors are required
3 to make under the provisions of chapter eight of the re-
4 vised statutes, but shall be listed separately in such manner
5 as the board of state assessors shall from time to time pre-
6 scribe.

Sect. 15. Upon the completion of the assessment of in-
2 tangible property, the assessors of each city, town and plan-
3 tation, shall file with the board of state assessors a valua-
4 tion list of such intangible property, and shall subscribe
5 thereto under such form of oath, as the board of state as-
6 sessors shall from time to time prescribe. Failure to take

7 and subscribe such oath shall be punished by a fine of not
8 less than fifty dollars or more than two hundred dollars;
9 but such failure shall not render invalid a tax otherwise
10 legally assessed.

Sect. 16. Any taxpayer who knowingly brings in a false
2 list of his intangible property, taxable under this act, shall
3 be punished by a fine of not less than one hundred dollars,
4 nor more than one thousand dollars. The board of state
5 assessors is hereby authorized to cause to be instituted in
6 the various counties proceedings for the enforcement of
7 this section, also sections six, thirteen and fifteen. All
8 moneys collected under the provisions of this section, shall
9 be paid to the treasurer of the town where the violation of
10 law takes place, and twenty-five per cent of such amounts
11 shall be immediately paid to the treasurer of state.

Sect. 17. The board of state assessors shall not include
2 the valuation of intangible property, assessed in the cities,
3 towns and plantations, under this act, in making the state
4 valuation, on which is based the apportionment of the state
5 tax. Of the taxes paid under the provisions of this act,
6 in any city, town or plantation, twenty-five per cent shall be
7 for the use of the state, and the treasurer of said city, town
8 or plantation, shall pay said sum to the treasurer of the
9 state, on or before the first day of December in each year.

Sect. 18. All taxes assessed in accordance with this act,
2 shall be collected in the manner provided by chapter ten of
3 the revised statutes, and all the provisions of said chapter, in

4 so far as they relate to personal property, shall apply to
5 taxes assessed under this act, unless otherwise specifically
6 provided in this act.