

# MAINE STATE LEGISLATURE

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NEW DRAFT

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E I G H T Y - S I X T H   L E G I S L A T U R E

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**Legislative Document**

**No. 904**

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S. P. 584

In Senate, March 13, 1933.

Reported by Senator Viles of Kennebec from Committee on Appropriations and Financial Affairs and laid on table to be printed under Joint Rules.

ROYDEN V. BROWN, Secretary.

New Draft of S. P. 301, L. D. 514.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

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AN ACT Relating to Returns of Telephone and Telegraph Companies and Apportionment of Tax.

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

**Sec. 1. R. S., c. 12, § 39, amended.** Section 39 of chapter 12 of the revised statutes is hereby amended to read as follows :

**‘Sec. 39. 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, return to the secretary of state under oath of its treasurer, if a 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 1st day of April; if a person or association, the owner or owners or one of them shall annually make a return under oath to the secretary of state, between the 1st and 15th days of April, of the names and residences of the owner or owners and the relative interest each owner 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 appor-**

tionment or payment is required to be made by the state to the several cities and towns under section 40, 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 April 1st.'

**Sec. 2. R. S., c. 12, § 40, amended.** Section 40 of chapter 12 of the revised statutes is hereby amended to read as follows:

**'Sec. 40. 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 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 45, 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 board of state assessors, if a corporation; and if not a corporation, such proportion of the amount of such excise tax paid into the state treasury 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.'**