

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1302

H. P. 1629

House of Representatives, March 14, 1947.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Cole of Portland by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to Taxation of Telephone and Telegraph Companies.

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

Sec. 1. R. S., c. 14, § 120, amended. Section 120 of chapter 14 of the revised statutes, as amended by section 12 of chapter 42 of the public laws of 1945, is hereby further 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, ~~on or before May 15th, return to the treasurer of state signed by its treasurer, clerk or secretary 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 the 1st day of April; if the line is operated by an association or person, the owner or owners or the members of the association, or one of them, shall annually make a return to the treasurer of state, 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. 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. 2. R. S., c. 14, § 121, amended. Section 121 of chapter 14 of the revised statutes, as amended by section 14 of chapter 42 of the public laws of 1945, is hereby further 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 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 to the state tax assessor by the association, person, or persons operating such line as such interests 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 $\frac{1}{2}$ of the taxes so collected in proportion to the amounts of the last preceding state valuation of such cities and towns.'