

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1876.

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## CHAP. 129.

## Chapter 129.

An Act relating to the Taxation of Insurance Companies.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

Tax on premiums.

SECTION 1. Every insurance company or association which does business in this state, not incorporated or associated under the laws thereof, shall, as hereinafter provided, annually pay a tax upon all premiums received, whether in cash or in notes absolutely payable, in excess over losses actually paid during the year, on contracts made in this state for insurance of life, property or interests therein, at the rate of two per centum per annum.

—amount of, how determined.

SECT. 2. In determining the amount of tax due under the preceding section, there shall be deducted by each company from the full amount of premiums received, the amount paid in this state during the year on claims under policies, and so much of any of said premiums as may be returned or allowed during the year to the insurer, as not collected, or used, or earned ; and the tax shall be computed on the net amount thus actually received by said companies or their agents as aforesaid.

—how computed.

Insurance companies to make return.

SECT. 3. Every company or association which by the provisions of this act is required to pay a tax, shall, on or before the thirty-first day of January, in each year, make a return, under oath, to the insurance commissioner, stating the amount of all premiums received by said company, either in cash or notes absolutely payable, during the year ending on the thirty-first day of December next previous, and also the amount to be deducted therefrom, under the provisions of this act, specifying the whole amount thereof, and also the classes of deductions and amount of each class. Said tax shall be assessed by the state treasurer upon the certificate of the insurance commissioner, to be seasonably furnished therefor on or before the first day of April, the same to be paid on or before the first day of May then next. It shall be the duty of the treasurer to notify the several companies of the assessment, and unless the same be paid as aforesaid, the commissioner shall suspend the right of the company to do any further business in the state until the tax is paid.

Tax. how assessed.

Companies to be notified of assessment.

—neglecting to make return, assessment, how made.

SECT. 4. In case any insurance company or association shall refuse or neglect to make the return required by this act, the state treasurer shall make such assessment on such company or association as he deems just, and unless the same shall be paid on demand such company or association shall have no right to do business in this state, and it shall be the duty of the insurance commissioner to give notice accordingly. And if after such notice any person does business in this state for such company or association, he shall be liable to the penalty provided in section fifty of chapter forty-nine of the revised statutes.

Non-payment of assessment, right to do business in this state prohibited.

Penalty for violation.

SECT. 5. But any insurance company incorporated by a state or country whose laws impose upon insurance companies chartered by this state any greater tax than is herein provided, shall pay the same tax upon business done by it in this state, in place of the tax above provided; and the insurance commissioner is hereby authorized to require the return upon which such tax may be assessed to be made to him, and the treasurer is hereby authorized to assess such tax; and if such tax is not paid as provided in section three, the insurance commissioner shall suspend the right of said company to do business in this state.

SECT. 6. Chapter two hundred and fifty-one of the acts of eighteen hundred and seventy-four, and chapter forty-six of the acts of eighteen hundred and seventy-five, are hereby repealed, except that they are continued in force for the assessment and collection of the tax the previous year as therein provided.

Approved February 23, 1876.

CHAP. 130.

Ratio of tax on certain foreign insurance companies.

Return and assessment of tax.

Right to do business in this state suspended in certain cases.

Ch. 251, acts of 1874, and ch. 40, acts 1875, repealed.

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**Chapter 130.**

An act to amend chapter two hundred and twenty-nine of the Public Laws of one thousand eight hundred and seventy-four, entitled "an act further to extend the powers of School Districts."

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

Chapter two hundred and twenty-nine of the public laws of the year one thousand eight hundred and seventy-four, entitled "an act further to extend the powers of school districts," is hereby repealed.

Ch. 229, public laws 1874, repealed.

Approved February 23, 1876.

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**Chapter 131.**

An act amendatory of chapter one hundred twenty-four of the Public Laws of the year eighteen hundred and seventy-three, in aid of Free High Schools.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

The second section of the one hundred and twenty-fourth chapter of the public laws of the year one thousand eight hundred and seventy-three, is hereby amended by striking out the words "provided that no town," in the twenty-third line of said section, and inserting in lieu thereof the words 'furthermore, any town or district;' also by inserting the words 'or district,' between the

Sec. 2, ch. 124, public laws 1873, amended.