

HOUSE No. 963

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 3, 1928.

The committee on Taxation, to whom was referred the petition (accompanied by bill, House, No. 360) of John A. Dahlmer and others for legislation to provide a more equitable tax on fishing vessels, report the accompanying bill (House, No. 963).

For the committee,

CARROLL L. MEINS.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Eight.

An Act relative to an Excise Tax on Certain Ships or Vessels.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section eight of chapter fifty-nine of
2 the General Laws is hereby amended by inserting after
3 the word "trade" in the third line the words: — or
4 engaged exclusively in fishing and documented and
5 carrying "papers" under the laws of the United
6 States, — so as to read as follows: — *Section 8.* In-
7 dividuals or partnerships owning an interest in any
8 ship or vessel which has during the period of its busi-
9 ness in the year preceding April first been engaged in
10 interstate or foreign carrying trade or engaged ex-
11 clusively in fishing and documented and carrying
12 "papers" under the laws of the United States shall
13 annually, within thirty days after said date, make a
14 return on oath to the assessors of the town where such
15 individuals reside or where such partnerships are
16 taxable under clause seventh of section eighteen,
17 respectively, setting forth the name of the ship or
18 vessel, their interest therein, and the value of such
19 interest. If the assessors are satisfied of the truth of
20 the return they shall assess an excise tax of one third
21 of one per cent upon such interest; and the person or
22 partnership making such return shall be exempt from

23 any tax upon said interest other than that assessed
24 under this section.

1 SECTION 2. Paragraph seventh of section eighteen
2 of said chapter fifty-nine is hereby amended by
3 inserting after the word "trade" in the second line
4 of said clause the words:— or engaged exclusively
5 in fishing and documented and carrying "papers"
6 under the laws of the United States, — so as to read
7 as follows:—

8 Seventh, Ships or vessels, other than those in the
9 interstate or foreign carrying trade or engaged ex-
10 clusively in fishing and documented and carrying
11 "papers" under the laws of the United States as to
12 which return is made under section eight, owned by
13 a partnership, shall be assessed to the several partners
14 in their places of residence, if within the common-
15 wealth, proportionally to their interests therein; but
16 the interests of the several partners residing without
17 the commonwealth shall be assessed to the partner-
18 ship in the place where its business is carried on.

1 SECTION 3. Section sixty-seven of chapter sixty-
2 three of the General Laws is hereby amended by
3 inserting after the word "trade" in the sixth line the
4 words:— or engaged exclusively in fishing and docu-
5 mented and carrying "papers" under the laws of the
6 United States, — so as to read as follows:— *Section*
7 *67.* The commissioner shall assess annually as of
8 April first an excise tax upon the interest of every
9 corporation organized under the laws of this com-
10 monwealth and having a place of business therein,
11 in any ship or vessel which has, during the period of
12 its business in the year preceding said April first, been

13 engaged in interstate or foreign carrying trade or en-
14 gaged exclusively in fishing and documented and
15 carrying "papers" under the laws of the United
16 States, which tax shall be one third of one per cent
17 upon the value of such interest as determined by him.
18 Such tax shall become due and shall be collected at
19 the same time and in the same manner as other taxes
20 assessed to such corporations. The president and
21 treasurer of every such corporation owning an interest
22 in any such ship or vessel shall annually, within
23 thirty days after April first, make a return to the
24 commissioner, on oath, setting forth in detail the name
25 of the ship or vessel, the interest of the corporation
26 therein, and the value of such interest. If the com-
27 missioner is satisfied of the truth of the return he
28 shall deduct said value from the fair cash value of the
29 shares of the corporation as estimated by him for the
30 purpose of determining the true value of its corporate
31 excess, if it is taxable under sections thirty to thirty-
32 eight, inclusive, or of its corporate franchise, if it is
33 taxable under section fifty-eight.

1 SECTION 4. This act shall be operative as of
2 March thirty-first of the current year.