Proposed Oregon Tax Law

(Continued from last week)

(Amendatory clause.)

Section 11. That section 1 of an act entitled "An act to fix the place of assessing national bank stock and private banks, loan and trust companies," approved February 24, 1903, being found upon page 286 of the General Laws of Oregon, 1903, be and the same hereby is amended to read as follows:

Shares of stock of national banks shall be assessed to the individual shareholders at the place where the bank is located. Shares of stock of other banks, and interest in banking capital, building and loan associations, and trust companies, shall be assessed to such banks, building and loan associations, or trust companies, or to their owners or stockholders, as by law provided, at the place where such banks, building and loan associations, or trust companies are located.

(Saving clause.)

Section 12. That this act shall not be construed to apply to the assessment of property made upon the basis of ownership on the first day of March, 1907, at the hour of 1 o'clock a. m.

A BILL

For an act to create a state board of tax commissioners, and to prescribe the membership thereof, and its powers and duties, meetings and procedure, and for appeals therefrom; providing for its expenses, and compensation of its members; conferring upon it general supervisory power over the system of taxation and public revenues in this state; providing for the assessment for taxation by it of the property of railway, union station and depot, electric and street railway companies, owners and operators, and of such heat, light, power, water, gas and electric companies as may be doing business as one system, partly within this state and partly without, or so doing business in more than one county of the state, or persons, firms, joint stock companies, associations, syndicates, co-partnerships, or corporations engaged in carrying on any of such businesses; to require certain affidavits, statements, and reports under oath, certificates, books and papers to be furnished and produced by certain persons, officers and corporations, and making the failure to furnish the same, or the furnishing of a false or fraudulent statement, a crime, and prescribing the penalty therefor; and requiring persons to appear and testify, under oath or otherwise, before said board, or any member thereof, and making the failure so to do, or the giving of false reports or testimony, a crime, and prescribing the penalty therefor; and prescribing the duties of state county and other municipal officers in aiding said board in the discharge of its duties; and providing for appeals to the circuit court from the determination of said board in certain cases, and the manner of taking, hearing, and determining the same, and defining the jurisdiction of the circuit court of the several counties on such appeals; and prohibiting the members of said board from accepting any pass from or gratuity from any person or corporation liable to assessment under this act, and making the violation of such provision a crime and prescribing the penalty therefore; and repealing sections 3050, 3051, 3052, 3053, 3054 of the Codes and Statutes of Oregon, compiled and annotated by Hon. Charles B. Bellinger and William W. Cotton, and all acts and parts of acts in conflict herewith.

Be it enacted by the people of the state of Oregon:

(Board created:- Of whom composed—Governor shall be chairman—Seal.)

Section 1. There is hereby created a state board of tax commissioners, to be composed of two persons appointed by the governor, secretary of state, and state treasurer, acting jointly as in this act provided, and their successors, who shall be skilled in matters of taxation, and shall not be members of the same political party, and who shall devote their entire time to the performance of the duties herein imposed, and the governor, secretary of state, and state treasurer, the last three of whom shall ex officio be members of said board. Said board shall perform and have the duties hereinafter specified, and the governor shall be chairman thereof. Said board shall adopt and use an official seal, which shall be provided by the secretary of state.

(Appointment, bond, and qualification of appointive members).

Section 2. The governor, secretary of state and state treasurer, acting jointly, shall appoint and commission all persons appointed under the provisions of this act, and before entering upon the discharge of his official duties each such appointee shall execute a bond, payable to the state of Oregon, in the penal sum of $10,000, with sureties to be approved by the governor, for the faithful discharge of his official duties; and each appointee shall take and subscribe an oath for the faithful discharge of his duties and office, which oath shall be indorsed upon his official bond, and said bond and oath when so exeuted and approved shall be filed in the office of the secretary of state.

(First two appointive members appointed on taking effect of act.)

Section 3. Immediately after the taking effect of this act the governor, secretary of state and state treasurer, acting jointly, shall appoint two persons, possessing the qualifications required by this act, to serve as the appointive members of the board hereby created, subject to the provisions in this act contained.

(Term of office of appointive members.)

Section 4. The members of the board first chosen by appointment shall be appointed to hold their offices, one for two years and one for four years, and the governor, secretary of state and state treasurer, acting jointly, shall commission one of the first appointive members of said board to hold his office for two years, and the other one for four years, and thereafter persons chosen by appointment as members of such board shall hold their office for the term of four years.

(Duties of board.)

Section 5. It shall be the duty of the said board of state tax commissioners—

1. To have and exercise general supervision of the system of taxation and collection of public dues and revenues throughout the state.

2. To require that all assessments of property in this state be made according to law.

3. To see that all taxes due the state, counties and municipalities are collected.

4. To prescribe all forms of books and blanks used in the assessment and collection of taxes not otherwise prescribed by law, and to change to forms of blanks and books prescribed by law in case change shall be necessary.

5. To construe the tax and revenue laws of the state whenever requested by any officer acting under such laws, or by any interested person, and to instruct such officers with relation to their duties with reference to assessment and taxation, and collection of public dues and revenues.

6. To issue instructions and directions to the county assessors, county boards of equalization, county clerks, and tax collectors as to the rules best calculated to secure uniformity in the system of assessment and collection of taxes, and a full cash valuation for assessment and taxation of all property, real and personal, tangible and intangible, including franchises and special franchises and to prescribe all blank forms of reports for that purpose.

7. For the purpose of enabling the board, any county assessor, county board of equalization, county clerk, or tax collector to acquire and obtain all information that could in any manner aid it or him in arriving at the valuation of any franchise or special franchise, to examine all books and papers of account, and to require any person to appear before said board, or any member thereof, and to interrogate such person under oath or otherwise.

8. To see that penalties are enforced when prescribed by any revenue law of the state for disobedience to its provisions, and to see that complaint is made against persons or corporations violating the provisions of any tax or revenue law of this state; and in the execution of these powers and duties the said board, and any member thereof, may call upon the prosecuting attorney or the attorney general, who shall institute and conduct prosecutions for penalties and forfeitures, liabilities and punishments for violation of the laws of the state in respect to the assessment and taxation of property, or the collection of public dues and revenues.

9. To take charge of and superintend the enforcement of the inheritance tax laws, and to see that the taxes provided therein are collected.

10. To make such rules and regulations as the board shall deem proper to effectually carry out the purposes for which the board is constituted, and to make all necessary rules and regulations not inconsistent with law as the board may deem necessary with respect to its own meetings and procedure.

11. To report to the legislature at each regular session the total amount of revenue collected in the state for all purposes, classifying as to purposes with the sources thereof, the proceedings of the board, and such other matters of information concerning the public revenues as may be deemed of general interest.

12. To make diligent investigation and inquiry concerning the revenue laws of other states and countries, so far as the same are made known by published reports or statistics, or can be ascertained by correspondence with the officers thereof; and with the aid of information thus obtained, together with experience with and the observation of our own laws, to recommend to the legislature at each regular session thereof such amendments, changes, or modifications of our constitution or revenue laws as seem proper or necessary to remedy injustice or irregularity in taxation, or to facilitate the assessment and collection of public revenues.

13. To see that each county in the state be visited by at least one member of the board as often as once each year, to the end that any proper assistance and advice be given to the officers engaged in the assessment and collection of taxes, that complaint concerning the law may be heard, and that information concerning its workings may be collected, that all revenue officers comply with the law, and all violations thereof be punished, and that all proper suggestions as to amendments may be made.

14. To require from any state, county or municipal officer, whose duties pertain to the assessment, apportionment, levy, or collection of taxes and public dues or revenues, or the disbursement of public revenues, reports, and statements, as to any matter deemed material and relevant, in such form as may be prescribed.

15. To make an annual assessment, upon an assessment roll to be prepared by said board, of the property having a situs in this state, as hereinafter defined, of all railroad companies, union station, and depot companies, electric and street railway companies, and of such heat, light, power, water, gas, and electric companies as may be doing business as one system, partly within this state, and partly without, or so doing business in more than one county of the state.

(Term "Property" defined—Property not assessable by board.)

Section 6. The term property, as used in this act, shall be deemed to include all property, real and personal, subject to assessment for taxation under this act belonging to the corporation, or held by it as occupant, lessee, or otherwise, and shall include the rights of way, roadbed, cars, rolling stock, tracks, wagons, horses, office furniture, telegraph, telephone, and transmission, poles, wires, conduits, switchboards, machinery, appliances, appurtenances, and all other property of a like or different kind, used in the carrying on of the business of said corporation, and owned, leased, or operated by them respectively and all other real and personal property, and all franchises and special franchises; Provided, however, that this definition shall not include, apply to, or subject to assessment for taxation by said board such real estate as is owned and can be conveyed by such corporation under the laws of this state, and which is not actually occupied in the exercise of its franchise, or in use in the operation of their corporate business, nor to the car and machine shops, grain elevators, grain warehouses, docks, bridges across the boundary rivers of the state or to the Willamette river, the water craft of any corporation, nor to the real and personal property of such corporation devoted to navigation; but such car and machine shops, grain elevators and grain warehouses, docks and bridges, water craft, and property devoted to navigation so excepted, shall be liable to assessment for taxation in the same manner as other property in the state, by the several county assessors.

(Term "Property Having Situs in This State" defined.)

Section 7. The term property having a situs in this state shall include all property, real and personal, of the corporations included in this act, owned, leased, used, operated, or occupied by them, and also such proportion of the rolling stock, cars, and other personal property of a like or different kind, as is used partly within and partly without the state, as herein provided to be determined.

(Reports required of corporations — Contents.)

Section 8. The several corporations enumerated in this act, doing business in this state, are hereby required annually, between the first day of April and the fifteenth day of May, to make and file with the said board of state tax commissioners, in such form as said board may provide, upon blanks to be furnished by said board, a statement, under oath of their president, secretary, treasurer, superintendent, or chief officer of such company, covering a period of at least one year, and not exceeding five years, as may be required by such board, containing the following facts:

1. The name of the company; the nature of the company, and under the laws of what state or country it is organized; the location of its principal office; the name and postoffice address of its president, secretary, auditor, treasurer, superintendent, and general manager; the name and postoffice address of the chief officer or managing agent or attorney in fact in Oregon.

2. The number of shares of capital stock.

3. The par value and market value, or if there be no market value, the actual value of the shares of stock on the first day of March at the hour of 1 o'clock a. m. for the year in which the report is made.

4. The bonds and other corporate obligations of the company.

5. The par value and market value, or actual value if there be no market value, of the bonds or other obligations of the company on the first day of March at the hour of 1 o'clock a. m. of the year in which the report is made.

6. A detailed statement of the real property owned by the corporation in Oregon, where situated, and the value thereof, if required by the board.

7. If required by the said board, a detailed statement of the personal property, including moneys and credits owned by the company in Oregon on the first day of March at the hour of 1 o'clock a. m. of the year in which the report is made, where situated, and the value thereof.

8. If required by the board, the total value of the real estate owned by the company situated outside the state.

9. If required by the board, a full and complete statement of the cost and actual present value of all buildings of every description owned by said company within the state not otherwise assessed.

10. If required by the board, the total value of the personal property of the company situated outside of Oregon.

11. The total length of the company's lines, and the length of so much of its lines as is within or is without Oregon, which lines shall include that which said company controls or uses as owner, lessee, or otherwise.

(To be continued next week)

A Shrewd Guess.

"Did Crittick say anything to you about my latest painting?" asked D'Auber.

"Yes," replied Cutts. "By the way, you must have had it nicely framed before you showed it to him, didn't you?"

"Yes. Why?"

"I thought so, because he said he noticed one artistic feature about it."—Philadelphia Press.

Corporate Greed.

Elevator Boy—Tyte-Phist & Co. have raised yer pay a cent an hour, have they?

Office Boy—Yes, but I have to work longer hours. Old Tyte-Phist has changed the regulator of the clock so it runs slower.—Chicago Tribune.

Cars for the Intoxicated.

In Sweden a separate car must be provided on suburban night trains out of Stockholm for the accommodation of intoxicated persons.

Uncle Allen.

"They say the price of looking glasses is going up," said Uncle Allen Sparks. "That looks to me like a 'get rich quicksilver' scheme on the part of the manufacturers."

Stabbed.

"Do you think I would look well in an automobile coat?"

"Indeed I do."

"But don't they entirely hide one's shape?"

"Sure."—Houston Post.

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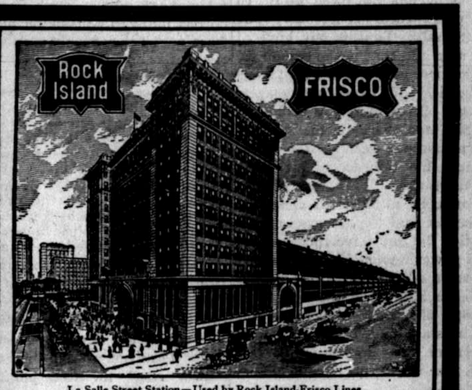

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