

ject, however, does not seem of sufficient urgency for this Commission to discuss now more fully.

It is, however, very important that the Legislature should clarify the classification. Many corporations in Maryland exercise the function of business corporations as intended by the law, besides the functions as set forth in Section 88-B, which subjects them to assessment as share corporations. The Commission has ruled that if, in the exercise of any of its powers, the corporation performs duties that bring it within any of the excepted classes, that corporation is subject to assessment as a share corporation rather than an ordinary business corporation, but there should be no discretion in the Commission in the performance of this duty. The Commission recommends that this paragraph of the law be changed so that the proper classification depends upon the principal business of a corporation. It may be that a corporation that is for all intents and purposes an ordinary business corporation may have conferred upon it powers of limited extent that would make it subject for all purposes as a share corporation; as, for example, a land company operating (in conjunction with the development of real estate) transportation of persons in buses or as common carriers. The Commission will be prepared, at the proper time, to suggest to the Legislature a redrafting of this section.

Under the provisions of the Ordinary Business Corporation Act the State Tax Commission is charged with the duty of arriving at the assessed valuation of the tangible personal property of such corporations. This obliges all Maryland corporations to report annually to the State Tax Commission as to their ownership of property and creates a discrimination in favor of firms, individuals and foreign corporations engaged in a like business, in so far as the tangible personal property of the latter is not subject to the annual reassessment. In the case of firms, individuals and foreign corporations, their assets are assessed by local assessing officers and the Commission exercises only supervisory power over such assessments. It seems that greater equality could be had by some legislation providing for an annual review of such assessments by the State Tax Commission through the proper coöperation of local assessing bodies, and that provision should be made for the assessment of tangible property of foreign corporations within the State by the Commission, as referred to in another part of this report.