Office of
The Governor

No. 45 FY 19/20
DATE April 24, 2020

AN ORDER TO EXPEDITE THE DELIVERY OF CERTAIN UNCLAIMED PROPERTY

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and a renewed state of emergency on April 14, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, the Office of Treasurer reports that over 93% of direct property tax relief payments have been deposited by taxpayers; and

WHEREAS, the Office of Treasurer also reports that 4,000 FY 19/20 direct property tax relief checks have been returned as undeliverable and that, due to COVID19, the Treasurer's call center has been suspended; and

WHEREAS, these returned checks are currently required by 33 M.R.S. §2061(10) to be held by the Treasurer for a one-year dormancy period; and

WHEREAS, the intended recipients of these checks could be located more quickly if the checks were treated as unclaimed property; and

WHEREAS, the adverse economic consequences of COVD-19 make it important to get these checks as quickly as possible to their intended recipients; and

WHEREAS, a governor's emergency powers expressly include pursuant to 37-B M.R.S. §742(1)(C)(1) and §834 the authority to suspend the enforcement of a statute where strict compliance therewith would hinder or delay necessary action;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions cited above, do hereby Order as follows:

I. ORDERS

To expedite delivery of over 4,000 FY 19/20 direct property tax relief checks that have been returned as undeliverable:

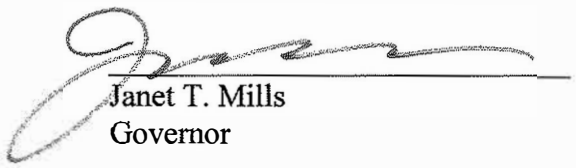
A. The notice and receipt provisions set forth in 33 M.R.S. §2101 and the one-year dormancy period set forth in 33 M.R.S. §2061(10) are suspended as applied by the Treasurer to such checks.

B. The Treasurer shall use his unclaimed property systems and networks to find the intended recipients of such checks.

C. The Treasurer may continue to use the discretion of his Office to approve or deny claims regarding such checks.

II. EFFECTIVE DATE

This Order shall take effect on April 24, 2020.



Janet T. Mills
Governor