Office of
The Governor

No. 13 FY 20/21
DATE September 21, 2021

AN ORDER TO EXPEDITE THE DELIVERY OF CERTAIN UNCLAIMED PROPERTY

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, June 9, 2020, May 13, 2020, August 5, 2020, and September 2, 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 virus; and

WHEREAS, the Office of Treasurer reports that over 6,000 FY 20 direct property tax relief checks have been successfully delivered to proper recipients but have not been deposited; and

WHEREAS, these undeposited checks are required by statute to be held by the Treasurer for a one-year dormancy period; and

WHEREAS, the standard 180-day window for the negotiation of these checks has now passed; and

WHEREAS, currently an individual who does not timely deposit a state check must request that the check be reissued, with attendant delay and expense; and

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

WHEREAS, the adverse economic consequences of COVID-19 make it important to transfer this property as quickly as possible to the proper 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 6,000 FY 20 direct property tax relief checks that have been delivered to proper recipients but have not been deposited and would require reissue:

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), as applied to such checks, are hereby suspended.

B. The Treasurer shall use his unclaimed property systems and networks to find the proper recipients of such checks as quickly as practicable.

C. The Treasurer retains the lawful discretion of his Office to approve or deny claims regarding such checks.

II. EFFECTIVE DATE

This Order shall take effect on September 21, 2020.

Janet T. Mills
Governor