

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 302

H. P. 220

House of Representatives, January 21, 1971

Referred to Committee on Business Legislation. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Bernier of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Creating the Escheat of Postal Savings System Accounts Act.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 9, c. 2, additional. Title 9 of the Revised Statutes is amended by adding a new chapter 2, to read as follows:

CHAPTER 2

**ESCHEAT OF POSTAL SAVINGS
SYSTEM ACCOUNTS ACT**

§ 11. Declaration of escheat

All Postal Savings System accounts created by the deposits of persons whose last known addresses are in this State which have not been claimed by the persons entitled thereto before May 1, 1971, are presumed to have been abandoned by their owners and are declared to escheat and become the property of this State.

§ 12. Obtaining information on accounts

The Bank Commissioner shall request from the Bureau of Accounts of the United States Treasury Department records providing the following information: The names of depositors at the post offices of this State whose accounts are unclaimed, their last addresses as shown by the records of the Post Office Department and the balance in each account. He shall agree to return to the Bureau of Accounts promptly all account cards showing last addresses in another state.

§ 13. Proceeding to adjudicate escheat

The Bank Commissioner may bring proceedings in the Kennebec County Superior Court to escheat unclaimed Postal Savings System accounts held by the United States Treasury Department. A single proceeding may be used to escheat as many accounts as may be available for escheat at one time.

§ 14. Notice

The Bank Commissioner shall notify depositors whose accounts are to be escheated as follows:

1. Letter. A letter advising that a Postal Savings System account in the name of the addressee is about to be escheated and setting forth the procedure by which a deposit may be claimed shall be mailed by first class mail to the named depositor at the last address shown on the account records for each account to be escheated having an unpaid principal balance of more than \$25.

2. General notice. A general notice of intention to escheat Postal Savings System accounts shall be published once in each of 3 successive weeks in one or more newspapers which combine to provide general circulation throughout the State.

3. Special notice. A special notice of intention to escheat the unclaimed Postal Savings System accounts originally deposited in each post office must be published once in each of 3 successive weeks in a newspaper published in the county in which the post office is located or, if there is none, in a newspaper having general circulation in the county. This notice must list the names of the owners of each unclaimed account to be escheated having a principal balance of \$3 or more.

§ 15. Collection and deposit of funds

The Bank Commissioner shall present a copy of each final judgment of escheat to the United States Treasury Department for payment of the principal due and the interest computed under regulations of the United States Treasury Department. The payment received shall be deposited in the General Fund in the State Treasury.

§ 16. Indemnification of the United States

This State shall indemnify the United States for any losses suffered as a result of the escheat of unclaimed Postal Savings System accounts. The burden of the indemnification falls upon the fund into which the proceeds of the escheated accounts have been paid.

§ 17. Short title

This chapter may be cited as the "Escheat of Postal Savings System Accounts Act."

STATEMENT OF FACT

The United States Postal Savings System was closed May 1, 1966. U. S. Treasury Regulations, Title 31, Chapter 11, Subchapter A, Part 257, Section 257.3 provides conditions for transfer of unclaimed accounts to the several states.

This bill is designed to conform to the Treasury regulations and to provide a procedure for escheat acceptable to the Treasury Department.