

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2420

S. P. 852

In Senate, January 23, 1974
Referred to the Committee on Legal Affairs. Sent down for concurrence
and ordered printed.

HARRY N. STARBRANCH, Secretary
Presented by Senator Cox of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Eliminate Collection of Delinquent Accounts by the Treasurer
of State.**

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

Sec. 1. R. S., T. 5, § 132, repealed. Section 132 of Title 5 of the Revised Statutes, as amended by chapter 21 of the public laws of 1967, is repealed.

Sec. 2. R. S., T. 5, § 133, amended. The last sentence of section 133 of Title 5 of the Revised Statutes is repealed as follows:

~~No funds shall be withheld if liability therefor is denied by proper officers of the town or county.~~

Sec. 3. R. S., T. 5, § 1504, amended. The 2nd sentence of section 1504 of Title 5 of the Revised Statutes is amended to read as follows:

Such certification shall be by the Attorney General, the Commissioner of Finance and Administration and ~~the Treasurer of State~~ **the head of the department, institution or agency responsible for such account**, subject to the approval of the Governor and Council.

Sec. 4. R. S., T. 5, § 1509, additional. Title 5 of the Revised Statutes is amended by adding a new section 1509 to read as follows:

§ 1509. Records; collections

It shall be the duty of each department, institution or agency of the State to keep a record of all items of income accruing to it. Each department, institution or agency shall be solely responsible for collections of all accounts

receivable accruing to it, including taxes levied by the State. In each instance of an item of income accruing to any department, institution or agency, such department, institution or agency shall immediately begin collection efforts and shall make such repeated collection efforts as may be necessary to promptly satisfy the amount owed to the State. Whenever there shall continue to exist items of income or taxes owed to the State which are not paid within 90 days, it shall be the duty of the department, institution or agency to whom such amount is owed to again attempt promptly to collect same. In cases of neglect or refusal to pay, the department, institution or agency shall institute through the Attorney General such court action as may be necessary to enforce payment.

STATEMENT OF FACT

Pursuant to Management and Cost Survey recommendation #8, Treasurer of State, this Act eliminates collection of delinquent accounts by the Treasurer of State. The purpose of this Act is to discontinue duplication of accounts receivable records. Each department, institution or agency shall henceforth collect its own accounts. This bill was supported by the Governor in his Special Message to the Special Session of the 106th Legislature on January 10, 1974.