

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 246**

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H. P. 184

House of Representatives, February 3, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Ault of Wayne.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT Relating to Abandoned Safety Deposit Boxes.**

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

to MRSA § 3751, is amended by adding at the end the following new paragraphs:

At the expiration of 3 years after the opening of the safe or box as herein provided, the bank or company may then notify the person in whose name the safe or box stands on its books, by a notice in writing in a securely closed, postpaid, registered letter directed to that person at his post-office address as recorded upon the books of that bank or company, that if the amount then due for the use of such safe or box is not paid within 60 days from the date of such notice, the aforesaid sealed package of the contents of the safe or box shall be deemed presumptively abandoned and shall be turned over to the State Treasury, which shall issue its receipt to that bank or company. At the expiration of 3 years after the delivery of the sealed package to the State Treasury, the State shall cause the package to be opened and its contents sold, except that any article contained within the sealed package deemed by the Treasurer of State to be unsaleable or without value shall be destroyed. The proceeds of such sale shall be paid into the State Treasury and credited to the General Fund for the use of the State.

Hereafter, no action shall be maintained in any court in this State by any person in whose name such safe or box stood, or his heirs, successors or assigns for any contents of such safe or box against any bank which delivered the sealed package to the State Treasury in accordance with this section. Hereafter, any lawful claimant may petition the Governor for the return of the sealed package if it has not been destroyed, or for the payment of such sum, and no more, realized by the State from the aforesaid sale. In his peti-

tion, the claimant shall state fully the facts showing the basis of his right, title and interest in the safe or box. The Governor, after hearing, shall determine who are lawful claimants and shall authorize payment by the Treasurer of State from the General Fund of such claimants.

Nothing herein shall be construed as preventing any bank or company from enforcing its lien as provided in sections 4001, et seq.

#### STATEMENT OF FACT

The purpose of this bill is to provide a procedure that can be followed regarding abandoned safety deposit boxes. This bill provides that after a safety deposit box has been opened and the contents held by the bank for 3 years, the bank may turn over to the State Treasury the contents thereof. The State shall hold the contents for an additional 3 years after which time the contents may be sold with the proceeds being credited to the General Fund.