

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

3. Proposals. Agencies and libraries applying for grants shall submit project proposals in a form prescribed by the Maine State Library Bureau.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

EDUCATIONAL AND CULTURAL
SERVICES, DEPARTMENT OF

Maine State Library Bureau	
All Other	\$75,000

Effective July 16, 1986.

CHAPTER 755

H.P. 1577 - L.D. 2224

AN ACT to Amend Maine's Abandoned Property Law.

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

Sec. 1. 33 MRSA §1304, sub-§1, ¶C, as amended by PL 1983, c. 211, §3, is further amended to read:

C. Otherwise indicated an interest in the deposit, shares or claim as evidenced by a writing on file with the holder. A record of the sending of a Bureau of Internal Revenue Form 1099, or its equivalent, to the owner and a record of its not being returned by the post office department shall be an indication of interest; nor

Sec. 2. 33 MRSA §1312, sub-§1, as amended by PL 1983, c. 211, §11, is further amended to read:

1. Property. Any cash or sums payable on a written instrument not otherwise covered in this chapter, and all other personal property with a fair market value of \$1,000 or more not otherwise covered in this chapter, that is held or owing in the ordinary course of the holder's business shall be presumed abandoned if it has not been claimed within 5 years after becoming payable or, distributable or abandoned.

Sec. 3. 33 MRSA §1352, §1, as amended by PL 1979, c. 641, §12, is further amended to read:

1. Publication. Within 120 days of the filing of the report required by section 1351, the Treasurer of State shall cause to be published in at least 2 newspapers of general circulation in the State, at least once a week for 2 consecutive weeks, a notice and listing of all abandoned property reported to him.

Sec. 4. 33 MRSA §1352, sub-§2, ¶C, as enacted by PL 1977, c. 707, §8, is amended to read:

C. A statement for property to be delivered to the Treasurer of State, that if proof of claim is not presented by the owner to the holder and if the owner's right to receive the property is not established to the holder's satisfaction within 65 days from the date of the ~~2nd~~ published notice, the abandoned property shall be placed not later than 85 days after the publication date in the custody of the Treasurer of State to whom all further claims shall thereafter be directed.

Sec. 5. 33 MRSA §1353, sub-§1, ¶A is enacted to read:

A. Property reported under section 1352 for which the holder is not required or is not able to report the name of the apparent owner must be paid or delivered to the Treasurer of State at the time of filing the report.

Sec. 6. 33 MRSA §1358, sub-§2, ¶B, as enacted by PL 1977, c. 707, §8, is amended to read:

B. At the end of each year or more often, the Treasurer of State shall transfer to the General Fund all money in the Abandoned Property Fund that is in excess of \$50,000 \$150,000.

Sec. 7. 33 MRSA §1360, sub-§4 is enacted to read:

4. Out-of-state records. If a domiciled holder does not maintain its records in the State and who maintains its records outside the State, the Treasurer of State may order that the records be made available for his inspection in the State or, under appropriate circumstances, he may order the holder to pay the transportation costs, lodging and other necessary expenses for the examiner or the examiners assigned to perform the scheduled examination if it is to be performed outside of the State.

Sec. 8. 33 MRSA §1364, sub-§1, as amended by PL 1983, c. 211, §15, is repealed and the following enacted in its place:

1. Limit on fees. No agreement to pay compensation to recover or assist in the recovery of property reported under section 1351, made within one year after the date the report was filed, is enforceable. After this period, a 15% compensation rate is permissible. Compensation may exceed the 15% after 2 years from the filing date if the agreement:

A. Is in writing and signed by the property owner;

B. Discloses the nature and value of the property; and

C. Discloses the name and address of the holder.

Sec. 9. Effective date. Section 6 of this Act shall take effect on June 30, 1987.

Effective July 16, 1986, unless otherwise indicated.

CHAPTER 756

H.P. 1497 - L.D. 2110

AN ACT to Amend the Maine Osteopathic Student Loan Program.

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

Sec. 1. 20-A MRSA §12005, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Agreement. Any osteopathic loan student commencing professional education on or after July 1, 1981, shall, as a condition precedent to receiving the loan, enter into an agreement with the Commissioner of Educational and Cultural Services stating that, following completion of professional education, including internship, residency and, fellowship, obligated public health service or obligated national service, the student shall pay the State an amount of money equal to the loan received.

Sec. 2. 20-A MRSA §12005, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read: