

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1097**

H. P. 926

House of Representatives, March 3, 1981

On Motion of Representative Kany of Waterville, referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT Concerning Property Deposited with Museums and Historical Societies.**

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

27 MRSA c. 19 is enacted to read:

**CHAPTER 19**

**PROPERTY DEPOSITED WITH**

**MUSEUMS AND HISTORICAL SOCIETIES**

§ 601. Property deposited with museums and historical societies

1. Property to be considered abandoned. Any property held by a museum or historical society within the State which is held for 25 years or more, and to which no person has made claim shall be deemed to be abandoned and, notwithstanding Title 33, chapter 27, shall become the property of the museum or society, provided that the museum or society has complied with subsection 2.

2. Notice. The museum or society shall first cause to be published in at least one newspaper of general circulation in the county in which the museum or society is located at least once a week for 2 consecutive weeks a notice and listing of the property. The notice shall contain:

A. The name and last known address, if any, of the last known owner of the property;

**B. A description of the property;**

**C. A statement that if proof of claim is not presented by the owner to the museum or society and if the owner's right to receive the property is not established to the museum's or society's satisfaction within 65 days from the date of the 2nd published notice, the property will be deemed abandoned and shall become the property of the museum or society.**

**3. Title to property. If no claim has been made to the property within 65 days from the date of the 2nd published notice, title to the property shall vest in the museum or society, free from all claims of the owner and of all persons claiming through or under him.**

#### STATEMENT OF FACT

Under present law, property that is deposited with museums and historical societies remains the property of heirs and cannot be disposed of or sold by museums and historical societies, even though they may have had this property for more than 100 years and all of the heirs are dead. The purpose of this bill is to require that, after a period of 25 years, property left with museums, that is unclaimed, becomes the property of the museum or historical society.