

	L.D. 289
2	DATE: 5/5/99 (Filing No. H-463)
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6	JUDICIARY
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10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE
14	HOUSE OF REPRESENTATIVES 119TH LEGISLATURE
16	FIRST REGULAR SESSION
18	COMMITTEE AMENDMENT "A" to H.P. 211, L.D. 289, Bill, "An
20	Act to Amend the Uniform Unclaimed Property Act concerning Tangible Property Held by Landlords or by State Institutions"
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24	Amend the bill in section 1 in that part designated " §1954. " in subsection 2 by striking out all of paragraph B and inserting in its place the following:
26	'B. Tangible property that has a fair market value of less
28	than \$500 that is left by a tenant may be disposed of by the landlord in accordance with Title 14, section 6013.
30	Further amend the bill by inserting after section 1 the
32	following:
34	'Sec. 2. 33 MRSA §1954-A is enacted to read:
36	<u>§1954-A. Retention of property with historic value</u>
38	1. Historic significance. The administrator may retain any tangible property delivered to the administrator, if the property
40	has exceptional historic significance. The historic significance must be certified by the administrator with advice from the State
42	Historian, the State Archivist, the State Librarian and the Director of the Maine State Museum. A statement of the appraised
44	value of the property must be filed with the certification. Historic property retained under this subsection must be stored
46	or other suitable locations.

Page 1-LR0669(2)

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 211, L.D. 289

2. Owner's property rights. Nothing in this section affects the right of the owner to recover the property or its value.'

6 Further amend the bill by inserting at the end before the summary the following:

'FISCAL NOTE

12 The additional costs associated with administering the Uniform Unclaimed Property Act for tangible property held by 14 landlords or by state institutions can be absorbed by the state agencies involved utilizing existing budgeted resources.

The Office of Licensing and Registration in the Department of Professional and Financial Regulation will incur some minor additional costs to adopt rules on behalf of the Maine Board of Pharmacy. These costs can be absorbed within the office's existing budgeted resources.

The additional costs associated with the retention of 24 certain property with historical significance, including storage and display, can be absorbed by the Maine State Museum and the 26 Maine State Library utilizing existing budgeted resources. The Treasurer of State will absorb the costs of determining the 28 appraised value of this property. No impact on the Abandoned Property Fund, or its transfers to the General Fund, are anticipated because the number of properties with historical 30 significance are expected to be minimal.

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Proceeds from the sale of abandoned property held by state 34 institutions are expected to be minor.'

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SUMMARY

40 This amendment revises the unclaimed property laws with regard to property left behind by a tenant to make the laws 42 consistent with the landlord-tenant laws of the Maine Revised Statutes, Title 14. If the value of the property left behind by 44 the tenant is less than \$500, the landlord may dispose of the property as provided in Title 14, section 6013. That law allows 46 the landlord to condition the release of the property to the tenant upon payment of all rental arrearages, damages and costs 48 of storage. It does not require the landlord to go through the abandoned property procedures to recoup these costs and expenses. 50

Page 2-LR0669(2)

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 211, L.D. 289

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This amendment also enacts a section that was part of the unclaimed property laws repealed and replaced by Public Law 1997, chapter 508. The section focuses on the retention by the administrator of property of historical significance. It allows the Treasurer of State to retain such property and requires its storage or display in appropriate locations, such as the State Museum and the State Library. This amendment adds the State Librarian to the list of advisors to the administrator concerning the historic significance of property.

Page 3-LR0669(2)

