

MAINE STATE LEGISLATURE

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M
R.O.S.

L.D. 1457

DATE: 5-24-01

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**MAJORITY
JUDICIARY**

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1088, L.D. 1457, Bill, "An Act to Exclude Credit Balances Between Business Associations from Unclaimed Property"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 33 MRSA §1952, sub-§13, ¶B, as enacted by PL 1997, c. 508, Pt. A, §2 and affected by §3, is amended to read:

B. Credit balance, customer's overpayment, gift certificate, security deposit, refund, credit memorandum, unpaid wage, unused ticket, mineral proceeds or unidentified remittance. "Property" does not include a credit balance issued to a commercial customer account by a business association in the ordinary course of business, unless the credit balance is property described in section 1953, subsection 1, paragraph E;

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

'FISCAL NOTE

Excluding certain credit balances from the provisions of the abandoned property laws will reduce net transfers to General Fund revenue. Since the Office of the Treasurer of State does not

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 1088, L.D. 1457

2 maintain the level of detail necessary to determine which credit
balances are issued by a business association to a commercial
4 customer account, the amount of the revenue loss can not be
determined at this time. Based on total credit balance
6 transaction information for fiscal years 1998-99 and 1999-00, if
25% of those transactions met the new definition, General Fund
revenue loss could range from \$56,800 to \$144,250 per year.'

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SUMMARY

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This amendment is the majority report of the Joint Standing
Committee on Judiciary. It replaces the bill and amends the
14 definition of "property" in the abandoned property laws to
exclude credit balances issued to a commercial customer account
16 by a business association in the ordinary course of business.
Credit balances that fall under the description of demand,
18 savings or time deposits would still be subject to the
application of the unclaimed property laws.

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The amendment also adds a fiscal note to the bill.

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COMMITTEE AMENDMENT