

MAINE STATE LEGISLATURE

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Date: 6/1/11

L.D. 1038
(Filing No. H-465)

3 EDUCATION AND CULTURAL AFFAIRS

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5 STATE OF MAINE
6 HOUSE OF REPRESENTATIVES
7 125TH LEGISLATURE
8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 772, L.D. 1038, Bill, "An Act
10 Regarding Property Deposited with Museums and Historical Societies"

11 Amend the bill in section 1 in §601 by striking out all of subsection 1 (page 1, lines 5
12 to 15 in L.D.) and inserting the following:

13 **'1. Property to be considered abandoned; definition.** Any tangible property held
14 by a museum ~~or historical society~~ within the State that is held for 25 3 years or more
15 without a written gift or loan agreement, or after expiration of a written loan agreement,
16 and to which no a person has not made claim is deemed considered to be abandoned and,
17 notwithstanding Title 33, chapter 41, becomes the property of the museum ~~or society,~~
18 provided that as long as the estimated market value of the material is less than \$100 or the
19 museum or society has complied with subsection 2. The estimated market value must be
20 determined by a qualified appraiser, and a written copy of the determination must be
21 retained in the museum's permanent records.

22 As used in this section, "museum" means an organization that is operated by a nonprofit
23 corporation, public agency or educational institution primarily for educational, scientific,
24 historic preservation, cultural or aesthetic purposes and that owns, cares for, exhibits,
25 studies, archives and catalogues tangible property and includes, but is not limited to,
26 historical societies, archives and art, history, science and natural history organizations.'

27 Amend the bill in section 1 in §601 in subsection 2 in the first line (page 1, line 16 in
28 L.D.) by striking out the following: "\$50" and inserting the following: '\$100'

29 Amend the bill in section 1 in §601 in subsection 3 in the 4th line (page 2, line 1 in
30 L.D.) by inserting after the following: "of the" the following: 'previous'

31 Amend the bill in section 1 in §601 in subsection 3 in the 5th line (page 2, line 2 in
32 L.D.) by inserting after the following: "the" the following: 'previous'

33 SUMMARY

34 This amendment modifies the bill to provide that property that has a value of less
35 than \$100 that has been abandoned to a museum for 3 years becomes the property of the

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 772, L.D. 1038

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museum. It also modifies the definition of "museum" to clarify what sorts of organizations are governed by this provision of law. It also makes other technical changes to the bill.

FISCAL NOTE REQUIRED

(See attached)



Approved: 05/31/11 *MAC*

125th MAINE LEGISLATURE

LD 1038

LR 1871(02)

An Act Regarding Property Deposited with Museums and Historical Societies

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Current biennium savings - General Fund

Fiscal Detail and Notes

Reducing the amount of time that a museum must hold and care for abandoned property from 25 years to 3 years as well as increasing the value of property that requires the Museum to conduct a search for the property owners from \$50 to \$100 will result in moderate savings to the Maine State Museum from reduced storage, staff time, publishing, mailing and insurance costs.