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Date: (Filing No. H-)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 772, L.D. 1038, Bill, “An Act Regarding Property Deposited with Museums and Historical Societies”

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

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

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

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

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

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

SUMMARY

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

COMMITTEE AMENDMENT

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

4 **FISCAL NOTE REQUIRED**

5
6 **(See attached)**
7