

HB

218

FISCAL NOTE

Bill Version: CSHB 218 (FIN)

(H) Publish Date: 3/15/00

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) _____ Dept. Affected Education & Early Dev.
 Title Museum Acquisition of Unclaimed Property BRU Alaska Library and Museums
 Component Museum Operations
 Sponsor Rep. Halcro
 Requester House Finance Component No. 210

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Any costs to the Alaska State Museum would be minimal and would be considered routine costs of doing business.

Prepared by: Karen Crane Phone 465-2911
 Division Libraries & Museums Date/Time 2/28/00 12:00 AM
 Approved by Commissioner Richard S. Cross Date 2/28/2000
 Agency Education & Early Development

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REPRESENTATIVE ANDREW HALCRO
District 12

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House Bill No. 218

Sponsor Statement

"An Act relating to property loaned to or held by Museums"

Alaska's many museums are a vital asset to the preservation of our state's rich cultural heritage. Unfortunately, many of these institutions face difficulty when dealing with artifacts on loan when contact is lost with the item's owner. Often, these items require exhaustive care and maintenance. Museums cannot reasonably be expected to make decisions regarding the conservation or disposition of loaned property at their own risk and expense.

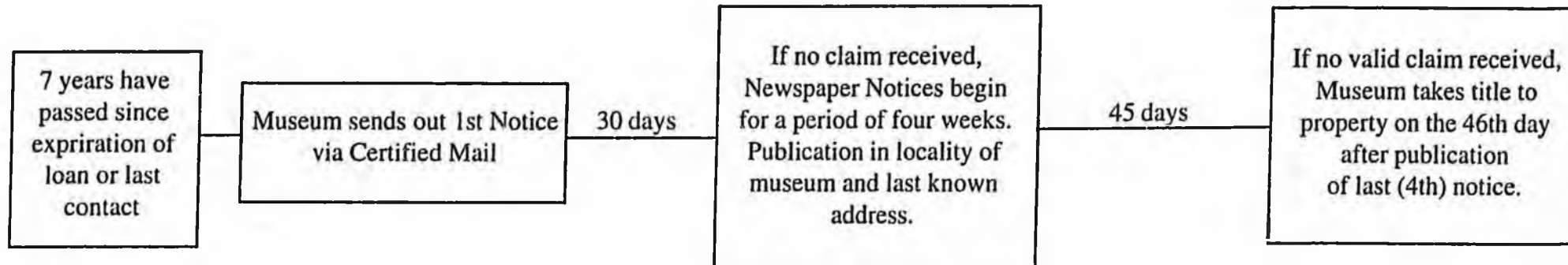
This legislation will offer a valuable vehicle for Alaska's museums to deal with property received on loan. Over time, lenders may die without heirs or move without maintaining contact with a museum. This leaves museums in the undesirable position of not being able to perform necessary conservation on the item while being unable to ascertain an identifiable manner of acquisition.

HB 218 establishes a process for museums to follow in order to clarify title on unclaimed objects. Before claiming title to an object on loan, the museum must have lost contact with the owner for at least seven years. The museum must then make a reasonable attempt to find the original owner or their heirs. Contact must be attempted through certified mail to the last known address, and if not successful, through newspaper announcements. After waiting a specified period of 45 days beyond these notices, the museum may proceed to obtain title to the property. The original owner then still has two years after that date to reclaim their property. Museum operators will be required to advise any new lenders of this new law.

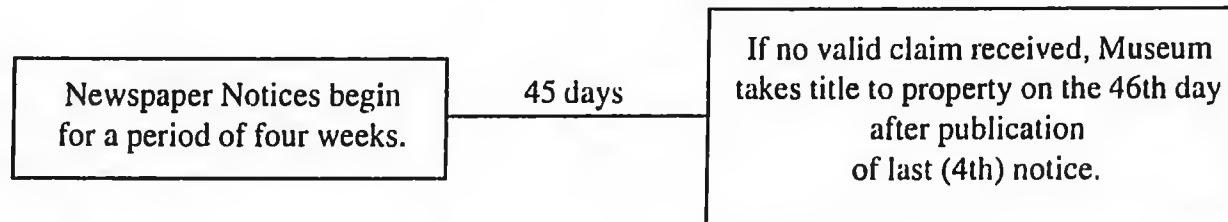
This important revision will alleviate many difficulties encountered by Alaska's museums while providing a fair and equitable recourse for the property owner. It is estimated that title to several hundred objects in museums around the state can be resolved with the passage of HB 218.

HB 218 Timeline for Acquisition

When Address in known:



When No Contact Information is known:



STATE OF ALASKA

TONY KNOWLES, GOVERNOR

Department of Education & Early Development

Office of the Commissioner

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November 15, 1999

The Honorable Andrew Halcro
Alaska State Legislature
716 West 4th Street, Suite 620
Anchorage, Alaska 99501

Dear Representative Halcro:

Thank you for your letter of October 28 with the copy of House Bill 218. Both Karen Crane, Director of Libraries, Archives and Museums, and Bruce Kato, Chief Curator forwarded their comments to me.

The bill addresses a problem many museums have encountered. Museum loan practices and record keeping were quite different 50 years ago. The problem for old loans for museums is that many were made with an indefinite or expired term by a lender who has since died or moved, or in any case has failed to maintain contact with the borrowing institution. I know that the State Museum has made extensive searches for the owners of a number of pieces. It is also not uncommon to find in a museum collection, objects without an identifiable record of the manner of acquisition. Without title to an object, museums have only a limited right to use and treat it, all the while bearing cost the associated cost of caring for it.

The Alaska State Museum has a number of objects that fall within the category of unclaimed loans or undocumented objects. We estimate that there are several hundred objects in museums around the State that can be addressed with the passage of HB218. It is my understanding that as of 1997, 28 states have passed similar legislation. Museum staff view this bill as a positive step in resolving a problem for museums statewide.

Karen Crane or Bruce Kato would be happy to testify in favor of your bill during this session. Thank you for supporting Alaska museums by promoting legislation that would clarify museum statutes.

Sincerely,



Richard S. Cross
Commissioner



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Representative Andrew Halcro
716 W 4th
Suite 620
Anchorage, AK 99501-2133
December 28, 1999

Dear Representative Halcro,

Museums Alaska is pleased to support the proposed legislation, House Bill No. 218 "An Act relating to property loaned to or held by museums."

As we discussed earlier this year, this kind of provision will assist museums in the care, preservation and conservation of their collections by setting up procedures for establishing clear title to objects in their collections.

Many museums incur unreimbursable expenses in caring for and storing unclaimed loaned property. The condition of tangible property changes over time. Loaned property often requires conservation work that may be expensive or potentially detrimental to the property. Organic materials and specimens may serve as breeding grounds for insects, fungi, or diseases that threaten other, perhaps more valuable property.

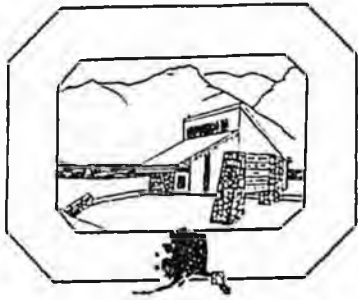
Museums cannot reasonably be expected to make decisions regarding conservation or disposition of loaned property at their own risk and expense. Over time, however, lenders die or move, and museums and lenders may lose contact. If a lender has failed to maintain contact with a museum, it is often impossible to locate the lender so that the lender can make decisions regarding conservation or disposition of loaned property.

We appreciate the clarity of description contained in the bill regarding transactions between museums and lenders and the time intervals and contact, publication requirements. You may be interested to see the recent on-line discussion among museums in the State that covered on this topic. (Enclosure follows)

We will continue to observe with interest the progress of the proposed legislation, and once again thank you for your efforts and attention to remedying this situation on behalf of the State's more than 70 cultural institutions. Please contact us if we can answer any of your concerns. We appreciate your genuine commitment to our cultural heritage in this legislative session.

Sincerely

Donna Matthews
Donna Matthews
Executive Director, Museums Alaska



Sheldon Museum and Cultural Center, Inc.

Box 269, Haines, Alaska 99827-0269

January 27, 2000

Representative Andrew Halcro
Alaska State Legislature
State Capitol, Suite 418
Juneau, AK 99801-1182

Dear Representative Halcro,

Thank you for sending a copy of HB 218 for my review as a museum professional. I appreciate very much your concern for unclaimed loans in museums. Probably every museum has objects that fall into this category and with no legal recourse the objects can remain forever in limbo.

The contents of your bill sound good and reasonable. I strongly support your bill. The Sheldon Museum and Cultural Center in Haines has several items that will be positively affected by this legislation. I am quite willing to testify during the bill hearings. Please contact me if I may assist you in any other way.

Again, thank you very much for your concern and action with this common museum problem.

Sincerely,

Cynthia L. Jones
Director/Curator

A Chilkat Valley Historical Society and Haines Borough Facility



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