



126th MAINE LEGISLATURE

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H.P. 1247

House of Representatives, January 21, 2014

**Resolve, Extending the Date by Which the Probate and Trust Law
Advisory Commission Must Report on Its Work on Maine's Probate
Code and the Uniform Probate Code**

Reported by Representative PRIEST of Brunswick for the Probate and Trust Law Advisory
Commission pursuant to Resolve 2013, chapter 5, section 2.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

1 **Preamble. Whereas,** the current Probate Code was enacted in 1980 based on the
2 Uniform Probate Code in effect at that time; and

3 **Whereas,** since its original adoption in 1980, the Uniform Probate Code has been
4 substantially revised by the Uniform Law Commission, including an update adopted in
5 1990, technical and substantive amendments adopted in 2008 and technical amendments
6 adopted in 2010 and refined in 2011; and

7 **Whereas,** it is in the best interest of Maine citizens and residents to have up-to-date
8 statutes consistent with those of other states and that address issues that arise in today's
9 social and technological environment; and

10 **Whereas,** the Probate and Trust Law Advisory Commission is authorized to
11 examine and evaluate the operation of the Probate Code and recommend changes; and

12 **Whereas,** the Probate and Trust Law Advisory Commission began its study of the
13 Uniform Probate Code pursuant to Resolve 2013, chapter 5 and needs additional time to
14 prepare legislation to carry out its recommendations; now, therefore, be it

15 **Sec. 1. Resolve 2013, c. 5, §2, amended. Resolved:** That Resolve 2013, c. 5,
16 §2 is amended to read:

17 **Sec. 2. Reports. Resolved:** That the Probate and Trust Law Advisory
18 Commission shall submit ~~a report regarding the review in section 1~~ to the Joint Standing
19 Committee on Judiciary an interim report regarding the review in section 1 no later than
20 December 1, 2013 and submit a final report to the joint standing committee of the
21 Legislature having jurisdiction over judiciary matters no later than December 15, 2014,
22 together with any necessary implementing legislation, for presentation to the ~~Second~~ First
23 Regular Session of the ~~126th~~ 127th Legislature. The Probate and Trust Law Advisory
24 Commission is authorized to submit a bill related to ~~its~~ the final report to the ~~Second~~ First
25 Regular Session of the ~~126th~~ 127th Legislature.

26 ; and be it further

27 **Sec. 2. Retroactivity. Resolved:** That this resolve applies retroactively to
28 December 1, 2013.

29 SUMMARY

30 This resolve extends the date for the Probate and Trust Law Advisory Commission to
31 issue its final report on its work on the Uniform Probate Code to December 15, 2014.
32 Resolve 2013, chapter 5 established the commission's duty to conduct a review and set a
33 reporting date of December 1, 2013. The Probate and Trust Law Advisory Commission
34 submitted an interim report before the report was originally due.