

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND SIXTEEN

H.P. 900 - L.D. 1322

Resolve, To Direct Legislative Staff To Recodify and Revise the Maine Probate Code and To Direct the Probate and Trust Law Advisory Commission and the Family Law Advisory Commission To Study and Make Recommendations on Related Issues

Sec. 1. Recodification and revision of the Probate Code. Resolved: That the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes, referred to in this resolve as "legislative staff," shall prepare a recodification and revision of the Maine Revised Statutes, Title 18-A, the Probate Code, for introduction in the First Regular Session of the 128th Legislature. The recodification and revision must incorporate substantive changes recommended by the Probate and Trust Law Advisory Commission, as established in Title 5, section 12004-I, subsection 73-B, in the December 6, 2014 report to the Joint Standing Committee on Judiciary and the revisions submitted November 20, 2015. Legislative staff shall consult with the Probate and Trust Law Advisory Commission and other interested parties in preparing the recodification and revision.

Legislative staff shall submit the recodification and revision to the joint standing committee of the Legislature have jurisdiction over judiciary matters no later than January 15, 2017; and be it further

Sec. 2. Supported decision making. Resolved: That the Probate and Trust Law Advisory Commission shall examine the concept of supported decision making, consult with interested parties and make recommendations concerning inclusion of supported decision making in the Probate Code, including any proposed legislation, in a report no later than January 15, 2017 to the joint standing committee of the Legislature having jurisdiction over judiciary matters. The committee may report out legislation to the First Regular Session of the 128th Legislature related to the subject of the report; and be it further

Sec. 3. Minor guardianship; adoption; parental rights. Resolved: That the Family Law Advisory Commission, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 52-A, shall oversee a comprehensive review of the laws and procedures concerning minor guardianship and adoption and other provisions implicating

parental rights throughout the Probate Code, including, but not limited to, an evaluation of the extent to which such laws, procedures and provisions are consistent with family law policy as set forth elsewhere in the Maine Revised Statutes. The commission shall ensure the involvement of interested parties and make recommendations, including any proposed legislation, in a report no later than January 15, 2017 to the joint standing committee of the Legislature having jurisdiction over judiciary matters. The committee may report out legislation to the First Regular Session of the 128th Legislature related to the subject of the report.