

MAINE STATE LEGISLATURE

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L.D. 1575

(Filing No. S- 126)

STATE OF MAINE
SENATE
111TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to H.P. 1182, L.D. 1575,
Bill, "AN ACT to Create a Statutory Will."

Amend the bill in that part designated "§2-514."
subsection (a) in that part relating to "2.3 CASH
GIFT TO CHURCHES, CHARITABLE ORGANIZATIONS, OR INSTI-
TUTIONS:" by striking out the first paragraph (page
4, lines 1 to 7 in L.D.) and inserting in its place
the following:

'2.3 CASH GIFT TO CHARITABLE ORGANIZATIONS OR INSTI-
TUTIONS: I make the following cash gift (s) to the
named charitable organizations or institutions in the
amount stated. If I fail to sign this provision, no
gift is made. If the charitable organization or
institution does not survive me or accept the gift,
then no gift is made.'

Further amend the bill in that part designated
"§2-514." subsection (a) in that part relating to
"2.4 ALL OTHER ASSETS (MY "RESIDUARY ESTATE")." (page
4, line 14 in L.D.) by striking out the underlined
words "a mark" and inserting in their place the fol-
lowing underlined words 'my initials'

Further amend the bill in that part designated
"§2-514." subsection (a) in that part relating to
"2.4 ALL OTHER ASSETS (MY "RESIDUARY ESTATE")." (page
4, lines 17, 18 and 19 in L.D.) by striking out the
underlined words and punctuation "I write the words
"not used" in the remaining signature spaces."

Further amend the bill in that part designated
"§2-514." subsection (a) in that part relating to
"2.4 ALL OTHER ASSETS (MY "RESIDUARY ESTATE")." (page
4, line 21 in L.D.) by striking out the underlined
words "a mark" and inserting in their place the fol-

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SENATE AMENDMENT "A" to H.P. 1182, L.D. 1575

1 lowing underlined words 'my initials'

2 Further amend the bill in that part designated
3 "§2-514." in subsection (a) in that part relating to
4 "2.4 ALL OTHER ASSETS (MY "RESIDUARY ESTATE")." (page
5 4, lines 21, 22 and 23 in L.D.) by striking out the
6 following underlined words "or if I fail to write the
7 words "not used" in any unused signature space"

8 Further amend the bill in that part designated
9 "§2-514." in subsection (a) in that part relating to
10 "2.5 UNDISTRIBUTED PROPERTY." 4th and 5th lines
11 (page 5, lines 15 and 16 in L.D.) by striking out the
12 following underlined words and punctuation "(Fill up
13 any unused space with lines or other markings.)" and
14 inserting in their place the following '(Draw a line
15 through any unused space.)'

16 Further amend the bill in that part designated
17 "§2-514." in subsection (a) in that part relating to
18 "3.1 GUARDIAN." in the 2nd line (page 5, line 22 in
19 L.D.) by striking out the underlined word "should"
20 and inserting in its place the underlined word "may"

21 Further amend the bill in that part designated
22 "§2-514." in subsection (a) in that part relating to
23 "3.2 CONSERVATOR." in the first paragraph (page 6,
24 lines 13 and 14 in L.D.) by striking out all of the
25 next to the last sentence.

26 Further amend the bill in that part designated
27 "§2-514." in subsection (a) in that part relating to
28 "3.3 PERSONAL REPRESENTATIVE." in the first paragraph
29 in the 3rd and 4th lines (page 6, lines 31 and 32 in
30 L.D.) by striking out the underlined words "serve as
31 personal representative" and inserting in their place
32 the following underlined words 'administer the provi-
33 sions'

34 Further amend the bill in that part designated
35 "§2-514." in subsection (a) in that part relating to
36 "3.3 PERSONAL REPRESENTATIVE." in the 15th line from

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1 the end (page 7, line 13 in L.D.) by striking out the
2 underlined words "Signature of Testator" and insert-
3 ing in their place the underlined words 'Your Signa-
4 ture'

5 Further amend the bill in that part designated
6 "§2-514." in subsection (a) in that part relating to
7 "STATEMENT OF WITNESSES" by striking out all of the
8 7th to 13th lines from the end (page 7, lines 15 to
9 21 in L.D.) and inserting in their place the follow-
10 ing:

11 'Each of us declares that the person who signed
12 above willingly signed this Maine Statutory Will in
13 our presence or willingly directed another to sign it
14 for him or her or that he or she acknowledged that
15 the signature on this Maine Statutory Will is his or
16 hers or that he or she acknowledged that this Maine
17 Statutory Will is his or her will and we sign below
18 as witnesses to that signing.'

19 Further amend the bill in that part designated
20 "§2-514." in subsection (b) in the first paragraph in
21 the 4th line from the end (page 8, line 6 in L.D.) by
22 striking out the underlined words "the will" and
23 inserting in their place the underlined words 'the
24 entire will'

25 Further amend the bill in that part designated
26 "§2-514." by striking out all of subsection (c).

27 STATEMENT OF FACT

28 This amendment serves to clarify several portions
29 of the bill.

30 References to churches have been stricken from
31 the section relating to charitable gifts.

32 The testator may signify the disposition of his
33 residuary estate by placing his initials next to his

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1 selection.

2 The testator is to draw a line through the unused
3 space regarding "Undistributed Property."

4 The reference to a conservator as any person over
5 14 years of age or an institution has been stricken
6 to avoid confusion.

7 The amendment eliminates some of the technical
8 wording in the bill, thereby rendering the language
9 more comprehensible to the layman. For example,
10 "personal representative" has been stricken and
11 replaced with language explaining the function of
12 personal representative to administer the provisions
13 of the will. The word "testator" has been given the
14 same treatment by this amendment.

15 3944051683



(Sen. Carpenter)

16
17 NAME:

18 COUNTY: Aroostook

Reproduced and distributed pursuant to Senate Rule 11-A.
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