



## **119th MAINE LEGISLATURE**

## **FIRST REGULAR SESSION-1999**

Legislative Document

No. 605

H.P. 442

House of Representatives, January 21, 1999

An Act to Clarify the Probate Code Regarding Durable Financial Powers of Attorney.

Reference to the Committee on Judiciary suggested and ordered printed.

W.M

OSEPH W. MAYO, Clerk

Presented by Representative THOMPSON of Naples.

## Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 18-A MRSA §5-508, sub-§(g), as enacted by PL 1997, c. 4 683, Pt. C, §6, is amended to read: (g) The requirements of subsections (b), (c) and (d) do not б render ineffective a durable financial power of attorney validly executed prior to September 19, 1997 or a durable financial power 8 of attorney executed prior to December 31, 1998 in accordance with this section as in effect on September 19, 1997. 10 12 SUMMARY 14 This bill clarifies the effective date of certain 16 corrections made to provisions pertaining to powers of attorney that were enacted as emergency legislation during the Second 18 Special Session of the 118th Legislature. This bill is intended to acknowledge that the enactment of the Maine Revised Statutes, 20 Title 18-A, section 5-508 represented a modification of existing law. The corrective emergency legislation, effective April 3, 1998, amended statutory notices that were required to be included 22 with durable financial powers of attorney executed after September 19, 1997. Subsection (g) of the corrective emergency 24 legislation currently renders ineffective durable financial powers of attorney executed after September 19, 1997 and prior to 26 April 3, 1998. This bill delays the effective date of the 28 modification until December 31, 1998.