

# MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 102, L.D. 93, Bill, "An Act Regarding the Duties of a Personal Representative"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 18-A MRSA §3-706, as amended by PL 1979, c. 690, §§8 and 9, is further amended by adding at the end a new paragraph to read:

When an inventory has not been filed or furnished as required under this section and an interested party makes a prima facie case that property that should have been inventoried is now missing, the personal representative has the burden of proving by a preponderance of the evidence that the specific property would properly be excluded from the inventory.'

SUMMARY

This amendment replaces the bill. It provides that, if the personal representative does not file or furnish the required inventory of a decedent's estate and an interested person makes a prima facie case that property that should have been inventoried is now missing, the burden is on the personal representative to show that the property would properly be excluded from the inventory.

COMMITTEE AMENDMENT