

MAINE STATE LEGISLATURE

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DATE: 5/23/5

L.D. 1566
(Filing No. H-468)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1104, L.D. 1566, Bill, "An Act Concerning Full Faith and Credit for Legal Documents Executed in Other Jurisdictions"

Amend the bill by striking out all of section 1.

Further amend the bill in section 3 in subsection (d) by striking out all of the last blocked paragraph (page 2, lines 24 to 28 in L.D.)

Further amend the bill by striking out all of sections 4 and 5 and inserting in their place the following:

Sec. 4. 18-A MRSA §5-510 is enacted to read:

§5-510. Recognition of powers of attorney from other jurisdictions

Notwithstanding any contrary requirements of law, a durable or nondurable health care power of attorney or a durable or nondurable financial power of attorney that was duly executed in another jurisdiction within the United States in compliance with the laws of that jurisdiction is not ineffective in this State due to noncompliance with the laws of this State.

Sec. 5. 18-A MRSA §5-802, sub-§(h), as enacted by PL 1995, c. 378, Pt. A, §1, is amended to read:

COMMITTEE AMENDMENT

2 (h) An advance health-care directive is valid for purposes
of this Part if it complies with this Part, regardless of when or
4 where executed or communicated, or if valid under the laws of the
state in which it was executed. An advance health-care directive
6 that is valid where executed or communicated is valid for the
purposes of this Part.'

8 Further amend the bill by relettering or renumbering any
nonconsecutive Part letter or section number to read
10 consecutively.

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14 **SUMMARY**

16 The amendment strikes the language that exempts from the
specific protective notice provisions of the Maine Revised
18 Statutes, Title 18-A, section 5-508 certain financial powers of
attorney. The amendment also strikes the language relative to
the reliance on powers of attorney. The amendment also deletes
20 health care powers of attorney from the list of powers of
attorney from other jurisdictions that would be valid in Maine.
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