

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
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any distributee is forever barred at the later of 3 years after the decedent's death or one year after the time of its distribution, but all claims of creditors of the decedent are barred ~~one year~~ 9 months after the decedent's death. This section does not bar an action to recover property or value received as the result of fraud.

See title page for effective date.

CHAPTER 189

H.P. 794 - L.D. 1140

An Act Relating to Name Changes During Divorce Proceedings

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

19 MRSA §752, sub-§11, as enacted by PL 1983, c. 813, §5, is repealed and the following enacted in its place:

11. Name change. Upon the request of either spouse to change that person's own name, the court, when entering judgment for divorce or annulment:

A. Shall change the name of that spouse to any former name requested; or

B. May change the name of that spouse to any other name requested.

See title page for effective date.

CHAPTER 190

H.P. 951 - L.D. 1378

An Act to Change the Geographic Representation of the Maine Potato Board

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

36 MRSA §4602, sub-§3, ¶F, as enacted by PL 1985, c. 753, §§14 and 15, is amended to read:

F. District 6: Amity, Cary Plantation, Crystal, Dyer Brooks, Hammond Plantation, Hersey, Hodgdon, Houlton, Island Falls, Linneas, Littleton, Ludlow, New Limerick and Merrill, Monticello, Oakfield and Smyrna; and

See title page for effective date.

CHAPTER 191

H.P. 77 - L.D. 105

An Act to Include the Testator's Birth Date in Statutory Living Wills

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, having the date of birth or social security number of an individual included in a living will can eliminate any confusion caused by instances when more than one patient in a hospital has the same name; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

18-A MRSA §5-702, as enacted by PL 1989, c. 830, §1, is amended to read:

§5-702. Declaration relating to use of life-sustaining treatment

(a) An individual of sound mind and 18 or more years of age may execute at any time a declaration governing the withholding or withdrawal of life-sustaining treatment. The declarant may designate another individual of sound mind and 18 or more years of age to make decisions governing the withholding or withdrawal of life-sustaining treatment. The declaration must be signed by the declarant, or another at the declarant's direction, and witnessed by 2 individuals.

(b) A declaration directing a physician to withhold or withdraw life-sustaining treatment may, but need not, be in the following form:

DECLARATION

If I should have an incurable and irreversible condition that, without the administration of life-sustaining treatment, will, in the opinion of my attending physician, cause my death within a relatively short time, and I am no longer able to make or communicate decisions regarding my medical treatment, I direct my attending physician, pursuant to the Uniform Rights of the Terminally Ill Act of this State, to withhold or withdraw such treatment that only prolongs the process of dying and is not necessary for my comfort or to alleviate pain.