

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

bution upon termination of the trust, if the trustee has not made the distribution to the beneficiary within a reasonable time after the designated distribution date.

Sec. 7. 18-B MRSA §813, sub-§6 is enacted to read:

6. Duty to settlor of revocable trust. During the lifetime of the settlor of a revocable trust, whether or not the settlor has capacity to revoke the trust, the trustee's duties under this section are owed exclusively to the settlor. If the settlor lacks capacity to revoke the trust, a trustee may satisfy the trustee's duties under this section by providing information and reports to any one or more of the following in the order of preference listed:

- A. The person or persons designated by the settlor in the trust to receive information and reports on the settlor's behalf;
- B. The settlor's spouse or registered domestic partner under Title 22, section 2710;
- C. The settlor's agent under a durable power of attorney;
- D. The settlor's court-appointed conservator; or
- E. The settlor's court-appointed guardian.

If the settlor lacks capacity to revoke the trust and there are no persons listed in this subsection to whom the trustee may provide information and reports, the trustee shall satisfy its duties under this section by providing information and reports to the qualified beneficiaries.

See title page for effective date.

CHAPTER 43

H.P. 147 - L.D. 170

An Act To Extend the Maximum Time Period for Powers of Attorney for Minors and Incapacitated Persons

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

Sec. 1. 18-A MRSA §5-104, sub-§(a), as enacted by PL 1997, c. 455, §7, is amended to read:

(a). A parent or guardian of a minor or incapacitated person, by a properly executed power of attorney, may delegate to another person, for a period not exceeding 6 12 months, any of that parent's or guardian's powers regarding care, custody or property of the minor child or ward, except the power to consent to marriage or adoption of a minor ward. A delegation by a ~~court-appointed~~ court-appointed guardian be-

comes effective only when the power of attorney is filed with the court.

Sec. 2. 18-A MRSA §5-213 is enacted to read:
§5-213. Transitional arrangements for minors

In issuing, modifying or terminating an order of guardianship for a minor, the court may enter an order providing for transitional arrangements for the minor if the court determines that such arrangements will assist the minor with a transition of custody and are in the best interest of the child. Orders providing for transitional arrangements may include, but are not limited to, rights of contact, housing, counseling or rehabilitation.

See title page for effective date.

CHAPTER 44

H.P. 455 - L.D. 625

An Act To Amend the Law Pertaining to Loaner Registration Plates

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

Sec. 1. 29-A MRSA §459, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§459. Manufacturers, dealers, transporters, body shops, transmission shops and garages; special plates

1. Special plates. The Secretary of State may select and issue special distinguishing letters, marks or designs for number plates issued to manufacturers, dealers ~~and~~, holders of transporter registration certificates and owners of body shops, transmission shops or garages.

2. Special vanity plates. A ~~new~~ car dealer or an owner of a body shop, transmission shop or garage may apply for special vanity registration plates that may bear letters or combinations of letters and numbers that are approved by the Secretary of State or a designee. A plate may not be duplicated by other licensed vehicle dealers, body shops, transmission shops or garages. These special vanity plates may not be used to supplement existing registration numbers assigned.

The Secretary of State shall charge an additional \$30 fee per plate issued pursuant to this subsection.

Sec. 2. 29-A MRSA §1003, sub-§7, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read: