

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 29, 2013**

**SECOND REGULAR SESSION**  
**January 8, 2014 to May 2, 2014**

**THE EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**EMERGENCY LAW IS**  
**SEPTEMBER 6, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2014**

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

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**Augusta, Maine**  
**2014**

**CHAPTER 80**  
**S.P. 614 - L.D. 1575**

**Resolve, Regarding Memorial Plaques Honoring Vietnam Veterans near the Vietnam Veterans Memorial Bridge between Lewiston and Auburn**

**Sec. 1. Removal and donation of existing plaques. Resolved:** That the Department of Transportation, within existing resources, shall remove plaques bearing the names of Vietnam veterans that were placed in Lewiston and Auburn on the approaches to the Vietnam Veterans Memorial Bridge pursuant to Resolve 1973, chapter 16 and donate those plaques to the respective cities in which the plaques are located; and be it further

**Sec. 2. Placement of new plaques. Resolved:** That the Department of Transportation, within existing resources, shall procure and install new plaques bearing the names of Vietnam veterans who made the ultimate sacrifice and including space for additional names. The plaques must be similar in size and style to the existing plaques and must be placed in locations similar to the locations of the existing plaques that are determined by the department not to present safety concerns for pedestrians or motorists; and be it further

**Sec. 3. Maintenance and upkeep. Resolved:** That the Department of Transportation is not responsible for maintenance and update of the plaques and the cities of Lewiston and Auburn may maintain and update the plaque installed in each city, respectively, pursuant to this resolve.

See title page for effective date.

**CHAPTER 81**  
**H.P. 1248 - L.D. 1742**

**Resolve, Extending the Date by Which the Probate and Trust Law Advisory Commission Must Report on Its Review of the Issue of Inheritance of Digital Assets**

**Sec. 1. Resolve 2013, c. 27, §2, amended. Resolved:** That Resolve 2013, c. 27, §2 is amended to read:

**Sec. 2. Reports. Resolved:** That the Probate and Trust Law Advisory Commission shall submit a ~~report regarding the review under section 1~~ to the Joint Standing Committee on Judiciary an interim report regarding the review under section 1 no later than De-

ember 1, 2013 and submit a final report, together with any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than December 15, 2014. The ~~Joint Standing Committee on Judiciary~~ joint standing committee is authorized to report out a bill based on the final report to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature.

; and be it further

**Sec. 2. Retroactivity. Resolved:** That this resolve applies retroactively to December 1, 2013.

See title page for effective date.

**CHAPTER 82**  
**H.P. 1247 - L.D. 1741**

**Resolve, Extending the Date by Which the Probate and Trust Law Advisory Commission Must Report on Its Work on Maine's Probate Code and the Uniform Probate Code**

**Preamble. Whereas,** the current Probate Code was enacted in 1980 based on the Uniform Probate Code in effect at that time; and

**Whereas,** since its original adoption in 1980, the Uniform Probate Code has been substantially revised by the Uniform Law Commission, including an update adopted in 1990, technical and substantive amendments adopted in 2008 and technical amendments adopted in 2010 and refined in 2011; and

**Whereas,** it is in the best interest of Maine citizens and residents to have up-to-date statutes consistent with those of other states and that address issues that arise in today's social and technological environment; and

**Whereas,** the Probate and Trust Law Advisory Commission is authorized to examine and evaluate the operation of the Probate Code and recommend changes; and

**Whereas,** the Probate and Trust Law Advisory Commission began its study of the Uniform Probate Code pursuant to Resolve 2013, chapter 5 and needs additional time to prepare legislation to carry out its recommendations; now, therefore, be it

**Sec. 1. Resolve 2013, c. 5, §2, amended. Resolved:** That Resolve 2013, c. 5, §2 is amended to read:

**Sec. 2. Reports. Resolved:** That the Probate and Trust Law Advisory Commission shall submit a ~~report regarding the review in section 1~~ to the Joint

Standing Committee on Judiciary an interim report regarding the review in section 1 no later than December 1, 2013 and submit a final report to the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than December 15, 2014, together with any necessary implementing legislation, for presentation to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature. The Probate and Trust Law Advisory Commission is authorized to submit a bill related to ~~its~~ the final report to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature.

; and be it further

**Sec. 2. Retroactivity. Resolved:** That this resolve applies retroactively to December 1, 2013.

See title page for effective date.

**CHAPTER 83**

**H.P. 1243 - L.D. 1737**

**Resolve, Extending the Date by Which the Family Law Advisory Commission Must Report on Its Study of the Uniform Parentage Act and Other Similar Laws and Proposals**

**Preamble.** Whereas, Maine law may require clarification and updating with regard to issues relating to parental rights and responsibilities, ethics, inheritance and property rights when genetic, biological and factual parentage cannot be determined in traditional ways; and

**Whereas,** Maine courts are in need of legislative guidance respecting the determination of parentage in some cases; and

**Whereas,** the Legislature is desirous of protecting children in such nontraditional circumstances from unnecessary litigation, uncertainty and insecurity; and

**Whereas,** the Family Law Advisory Commission is authorized to review and make recommendations on family law issues generally under the Maine Revised Statutes, Title 19-A, chapter 5; and

**Whereas,** the Family Law Advisory Commission began its study of the Uniform Parentage Act pursuant to Resolve 2013, chapter 12 and needs additional time to prepare legislation to carry out its recommendations; now, therefore, be it

**Sec. 1. Resolve 2013, c. 12, §2, amended. Resolved:** That Resolve 2013, c. 12, §2 is amended to read:

**Sec. 2. Reports. Resolved:** That the Family Law Advisory Commission shall submit ~~a report~~ to the Joint Standing Committee on Judiciary an interim report no later than December 1, 2013 and submit a final report to the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than December 15, 2014, together with any necessary implementing legislation, for presentation to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature. The Family Law Advisory Commission is authorized to submit legislation related to ~~its~~ the final report to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature.

; and be it further

**Sec. 2. Retroactivity. Resolved:** That this resolve applies retroactively to December 1, 2013.

See title page for effective date.

**CHAPTER 84**

**H.P. 1155 - L.D. 1584**

**Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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