1 August 2017

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1260, “Resolve, To Establish the Commission to Create a Plan to Enhance the Efficiency and Effectiveness of the Probate Court System.”

This bill establishes a commission to overhaul our probate court system, which was repealed by the people of Maine in 1967, and create a more efficient and effective court system. The commission is directed to focus on meaningful access to justice, promote judicial responsibility, adherence to the code of judicial responsibility and provide for qualified judges and professional staff. All of these conditions are currently being met by each and every probate court in the State of Maine. The probate judges and staff have continued to deliver exceptional service to the people of Maine.

Counties provide the funding for salaries of probate judges and staff, office space, court space, equipment and office supplies. The commission is comprised of 13 members. Only two members of the commission will represent the “interest of the counties.” Counties that shoulder a heavy burden in our probate court system are simply not adequately represented on this commission.

Finally, the Legislature failed to fund the commission. The commission may seek private or public funding contributions. If the commission cannot obtain private or public funding contributions, “no meetings are authorized.” If the Legislature was serious about creating a more efficient and effective probate court system, they should have funded the commission.

For these reasons, I return LD 1260 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

[Signature]
Paul R. LePage
Governor