MAINE STATE LEGISLATURE

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(New Draft of H.P. 591, L.D. 802) FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1805

H.P. 1322 House of Representatives, June 10, 1987 Reported by Representative PARADIS from the Committee on Judiciary and printed under Joint Rule 2.

EDWIN H. PERT, Clerk
Original bill sponsored by Representative CROWLEY of
Stockton Springs. Cosponsored by Representatives PARADIS of
Augusta, MacBRIDE of Presque Isle, and Senator BRANNIGAN of
Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN

1 2	AN ACT to Amend Certain Probate Laws.
3 · 4	Be it enacted by the People of the State of Maine as follows:
5 6 7	Sec. 1. 18-A MRSA §1-602, ¶(2), as repealed and replaced by PL 1983, c. 262, §1, is repealed and the following enacted in its place:
8 9 10 11 12	(2) For receiving and entering each petition or application for all estates, testate and intestate, including foreign estates, and the filing of a notice by a domiciliary foreign personal representative when the value of the estate is:
13 14	(i) For filing a will without probate, no fee;

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(ii) For filing a will to be probated and
              without an appointment, $10;
2
              (iii) $10,000 and under, $15;
 3
               (iv) $10,001 to $20,000, $30;
 4
 5
               (v) $20,001 to $30,000, $45;
               (vi) $30,001 to $40,000, $60;
6
               (vii) $40,001 to $50,000, $75;
7
 8
               (viii) $50,001 to $75,000, $100;
9
               (ix) $75,001 to $150,000, $150;
10
               (x) $150,001 to $250,000, $200;
11
               (xi) $250,001 to $500,000, $300
12
               (xii) $500,001 to $1,000,000, $400;
               (xiii) $1,000,001 to $2,000,000, $500;
13
               (xiv) More than $2,000,000, $600.
14
          Sec. 2. 18-A MRSA $1-602, ¶(5), as enacted by PL
15
      1979, c. 540, §1, is amended to read:
16
17
               For filing a petition for appointment as
18
          guardian or-conservator,-or-for-other--protective
19
          proceedings,-$5 , $10.
20
          Sec. 3. 18-A MRSA \$1-602, \P\P(7) and (8), as en-
      acted by PL 1983, c. 262, §2, is amended to read:
21
22
               (7) For filing a joint joined petition for
23
               appointment-as guardian and conservator, $10
               $20.
24
               (8) For filing any other formal proceeding,
25
26
               $5 $10.
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Sec. 4. 18-A MRSA \$1-602, ¶(9)

is

enacted

27

28

read:

	1 2	(9) For filing a petition for appointment of conservator, \$10.
	3 4	Sec. 5. 18-A MRSA §4-204, as enacted by PL 1979, c. 540, §1, is amended to read:
	5	§4-204. Proof of authority; bond
	6 7 8 9 10 11 12	If no local administration or application or petition therefor is pending in this State, a domiciliary foreign personal representative may file with a court in this State in a county in which property belonging to the decedent is located, authenticated copies of his appointment and, of any official bond he has given and a certificate, dated within 60 days, proving his current authority.
	14 15	<pre>Sec. 6. 18-A MRSA §5-432, as enacted by PL 1979, c. 540, §1, is amended to read:</pre>
	16 17	§5-432. Foreign conservator; proof of authority; bond; powers
	18 19 20 21 22 23 24 25 26 27 28 29 30	If no local conservator has been appointed and no petition in a protective proceeding is pending in this State, a domiciliary foreign conservator may file with a court in this State in a county in which property belonging to the protected person is located, authenticated copies of his appointment and, of any official bond he has given and a certificate, dated within 60 days, proving his current authority. Thereafter, he may exercise as to assets in this State all powers of a local conservator and may maintain actions and proceedings in this State subject to any conditions imposed upon nonresident parties generally.
	31	STATEMENT OF FACT
.)	32 33 34 35	This new draft revises the fee increases proposed in the original bill. Primarily, the new draft reduces the proposed fees applied to estates of values from \$50,001 to more than \$2,000,000.
×.	36 37	The new draft raises the fee for filing a petition for appointment of a guardian from \$5 to \$10.

The new draft deletes the proposed requirement that a domiciliary foreign personal representative file a copy of a foreign will.