

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

July 29, 2005

SECOND REGULAR SESSION

January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR

SECOND SPECIAL SESSION

NON-EMERGENCY LAWS IS

OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR

SECOND REGULAR SESSION

NON-EMERGENCY LAWS IS

AUGUST 23, 2006

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

Penmor Lithographers

Lewiston, Maine

2006

6. Rulemaking. The commissioner, in consultation with the Commissioner of Education, may adopt rules to implement this section. Rules adopted in accordance with this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Commissioner of Education and Commissioner of Health and Human Services to convene task force. The Commissioner of Education and the Commissioner of Health and Human Services shall convene a task force to assist in developing the grant program under the Maine Revised Statutes, Title 22, section 2128. The commissioners shall invite representatives of the following to participate in the task force: the Maine Dental Association; the Maine Dental Hygienists' Association; the Maine Association of School Nurses; the Maine School Management Association; the Maine Principals' Association; the Department of Health and Human Services, Office of MaineCare Services; and organizations providing dental services to low-income children.

1. The task force shall recommend a model or models for the provision of dental health assessments in schools or facilitated by school administrative units and a system for referrals when dental disease or abnormality is detected. The model or models must include recommendations for the following: the qualifications needed by the professional conducting the assessments; the equipment to be used in making the assessment; the steps included in an assessment; a prevention and educational component; and measures used to evaluate outcomes.

2. The task force shall advise the Commissioner of Education and the Commissioner of Health and Human Services on the development of the grant program. The task force shall recommend criteria for selecting nonprofit agencies to receive grants and school administrative units to participate.

3. The Commissioner of Education and the Commissioner of Health and Human Services shall report back to the joint standing committee of the Legislature having jurisdiction over education matters no later than February 15, 2007 on the grant program. The report must include a description of the grant program developed under this Act, the number of grants awarded, the geographic areas being served, the number of assessments completed and a summary of dental care provided.

Sec. 4. Transfer. Beginning in fiscal year 2006-07, the State Controller shall transfer \$25,000 annually at the beginning of each fiscal year from General Fund undedicated revenue to the Maine School Oral Health Fund within the Department of Health and Human Services for oral health assess-

ments and dental services to eligible elementary school children.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Maine School Oral Health Fund NEW

Initiative: Allocates funds for a grant program to provide oral health assessments and dental services to eligible elementary school children.

OTHER SPECIAL REVENUE		
FUNDS	2005-06	2006-07
All Other	\$0	\$25,000
OTHER SPECIAL REVENUE		
FUNDS TOTAL	\$0	\$25,000

See title page for effective date.

CHAPTER 654

S.P. 717 - L.D. 1800

An Act To Amend the Fees for Probate Filings

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

Sec. 1. 18-A MRSA §1-602, as amended by PL 2003, c. 383, §1, is further amended to read:

§1-602. Filing and certification fees

The register of probate must receive the following fees for filing or certifying documents:

(1) For making and certifying to the register of deeds copies of devises of real estate, abstracts of petitions for appointment of a personal representative or for an elective share and any other document for which certification is required, ~~\$8 \$15, plus the fee for recording as provided by Title 33, section 751,~~ except as otherwise expressly provided by law. The fee must be paid by the personal representative, petitioner or other person filing the document to be certified when the copy of the devise ~~or abstracts, abstract, petition for elective share or other document for which certification is required~~ is ~~made requested.~~ The register of probate shall deliver the certified document to the register of deeds together with the fee for recording as provided by Title 33, section 751. ~~The personal representative, petitioner, applicant or other person requesting the certification shall pay the recording fee to the register of probate.;~~

(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, except for the filing of a successor personal representative, when the value of the estate is:

(i-a) For filing a will for no probate, no charge:

(ii) For filing a will to be probated and without an appointment, ~~\$10~~ \$15;

(iii) \$10,000 and under, ~~\$15~~ \$20;

(iv) \$10,001 to \$20,000, ~~\$30~~ \$40;

(v) \$20,001 to \$30,000, ~~\$45~~ \$60;

(vi) \$30,001 to \$40,000, ~~\$60~~ \$75;

(vii) \$40,001 to \$50,000, ~~\$75~~ \$95;

(viii) \$50,001 to \$75,000, ~~\$100~~ \$125;

(ix) \$75,001 to \$100,000, ~~\$150~~ \$190;

(x) \$100,001 to \$150,000, ~~\$200~~ \$250;

(xi) \$150,001 to \$200,000, ~~\$250~~ \$325;

(xii) \$200,001 to \$250,000, ~~\$300~~ \$375;

(xiii) \$250,001 to \$300,000, ~~\$350~~ \$450;

(xiv) \$300,001 to \$400,000, ~~\$400~~ \$500;

(xv) \$400,001 to \$500,000, ~~\$450~~ \$575;

(xvi) \$500,001 to \$750,000, ~~\$500~~ \$625;

(xvii) \$750,001 to \$1,000,000, ~~\$550~~ \$700;

(xviii) \$1,000,001 to \$1,500,000, ~~\$600~~ \$750;

(xix) \$1,500,001 to \$2,000,000, ~~\$700~~ \$875; or

(xx) More than \$2,000,000, ~~\$750~~ \$950, and continuing in steps of ~~\$50~~ \$100 for every increase in value of \$500,000 or part thereof above \$2,500,000;

(3) For making copies from the records of the court, \$1 for each page;

(4) For each certificate, under seal of the court, of the appointment and qualification of a personal representative, guardian, conservator or trustee, \$5, and for each double certificate, \$10;

(5) For filing a petition for appointment as guardian, ~~\$25~~ \$50;

(6) For filing application for involuntary hospitalization, \$10;

(7) For filing a joined petition for guardian and conservator, ~~\$35~~ \$75;

(8) For filing any other formal proceeding, ~~\$15~~ \$25;

(9) For filing a petition for appointment of conservator, ~~\$25~~ \$50;

(10) For all other subsequent informal appointments, ~~\$15~~ \$25; and

(11) For filing a petition for elective share, \$120.

Sec. 2. 18-A MRSA §1-608 is enacted to read:

§1-608. Fees not established in statute

Unless otherwise specifically stated in statute or in the Rules of Probate Procedure as published by the Supreme Judicial Court, the Probate Court shall charge the same fee as charged by the District Court or the Superior Court for similar procedures.

Sec. 3. 18-A MRSA §1-701, sub-§(d), as enacted by PL 2001, c. 163, §1, is amended to read:

(d) The fee for filing the name change petition is ~~\$25~~ \$40.

Sec. 4. 18-A MRSA §9-301, first ¶, as amended by PL 2001, c. 52, §1, is further amended to read:

A husband and wife jointly or an unmarried person, resident or nonresident of the State, may petition the Probate Court to adopt a person, regardless of age, and to change that person's name. The fee for filing the petition is ~~\$50~~ \$65 plus:

Sec. 5. 18-A MRSA §9-312, as enacted by PL 1995, c. 694, Pt. C, §7 and affected by Pt. E, §2, is amended to read:

§9-312. Foreign adoptions

If an adoption in a foreign country has been finalized and the adopting parents are seeking an adoption under the laws of this State to give recognition to the foreign adoption, a judge of probate may enter a decree of adoption based solely upon a judgment of adoption in a foreign country and may order a change of name if requested by the adopting parents. The fee for filing the petition is \$55.

See title page for effective date.
