

TITLE 18

DECEDENTS' ESTATES AND FIDUCIARY RELATIONS

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PL 1979, c. 540, §24-C (RP).

§3506. Power as to ward's real estate**(REPEALED)**

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PL 1979, c. 540, §24-C (RP).

§3507. Reference of action by rule of court**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3508. Adjustment by arbitration or compromise**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3509. Dismissal or removal of guardians; marriage of female ward ends guardianship

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SECTION HISTORY

PL 1969, c. 433, §27 (AMD). PL 1971, c. 598, §23 (AMD). PL 1975, c. 701, §6 (AMD). PL 1979, c. 540, §24-C (RP).

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3511. Embezzlement by guardian or conservator**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3512. Limited guardian**(REPEALED)**

SECTION HISTORY

PL 1977, c. 627, §1 (NEW). PL 1979, c. 540, §24-C (RP).

SUBCHAPTER 2**GUARDIANS OF MINORS****(REPEALED)****§3551. Appointment; interest of judge****(REPEALED)**

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PL 1979, c. 540, §24-C (RP).

§3552. Nomination and appointment**(REPEALED)**

SECTION HISTORY

PL 1975, c. 701, §7 (AMD). PL 1979, c. 540, §24-C (RP).

§3553. Power over minor's person and property**(REPEALED)**

SECTION HISTORY

PL 1969, c. 433, §28 (AMD). PL 1971, c. 598, §24 (AMD). PL 1979, c. 540, §24-C (RP).

§3554. Application of property of minor children to their support**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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§3601. Appointment

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SECTION HISTORY

PL 1969, c. 433, §29 (AMD). PL 1969, c. 437, §2 (AMD). PL 1971, c. 598, §25 (AMD). PL 1975, c. 105, §1 (AMD). PL 1979, c. 540, §24-C (RP).

§3602. Hearing; adjudication

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PL 1979, c. 540, §24-C (RP).

§3603. Contracts made after notice and filing void

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3604. Allowance to ward to defend himself

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3605. Authority and duties

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3606. Adjustment of claims

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3607. Disability of adults under guardianship; dismissal of guardian

(REPEALED)

SECTION HISTORY

PL 1969, c. 433, §30 (AMD). PL 1971, c. 598, §26 (AMD). PL 1979, c. 540, §24-C (RP).

SUBCHAPTER 3-A

GUARDIANSHIP OF MENTALLY RETARDED PERSONS

(REPEALED)**§3621. Public guardian; Bureau of Mental Retardation****(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1977, c. 502, §1 (AMD). PL 1977, c. 627, §2 (AMD). PL 1979, c. 540, §24-C (RP).

§3622. Purpose and responsibility**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1977, c. 502, §2 (AMD). PL 1977, c. 627, §§3, 4 (AMD). PL 1979, c. 540, §24-C (RP).

§3623. Definition**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

§3624. Nomination**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

§3625. Petition**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1977, c. 627, §5 (AMD). PL 1979, c. 540, §24-C (RP).

§3626. Notice and hearing**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1977, c. 627, §6 (AMD). PL 1979, c. 540, §24-C (RP).

§3627. Findings of probate court**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1977, c. 627, §7 (AMD). PL 1979, c. 540, §24-C (RP).

§3628. General duties of public guardian**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1971, c. 544, §57 (AMD). PL 1977, c. 78, §119 (AMD). PL 1977, c. 627, §8 (AMD). PL 1979, c. 540, §24-C (RP).

§3629. Bond and compensation

(REPEALED)

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

§3630. Special guardian**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1977, c. 627, §9 (RPR). PL 1979, c. 540, §24-C (RP).

§3630-A. Limited guardian**(REPEALED)**

SECTION HISTORY

PL 1977, c. 627, §10 (NEW). PL 1979, c. 540, §24-C (RP).

§3631. Grounds for removal**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

§3632. Removal of public guardian**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

§3633. Discharge of guardian**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1977, c. 627, §11 (AMD). PL 1979, c. 540, §24-C (RP).

§3634. Review**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

§3635. Determination of need for guardianship of persons in institutions and residence facilities**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1969, c. 590, §22 (AMD). PL 1971, c. 598, §27 (AMD). PL 1979, c. 540, §24-C (RP).

§3636. Exclusiveness**(REPEALED)**

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

§3637. Consent to autopsy, burial

(REPEALED)

SECTION HISTORY

PL 1969, c. 265 (NEW). PL 1979, c. 540, §24-C (RP).

SUBCHAPTER 3-B

GUARDIANSHIP OF INCAPACITATED ADULTS IN NEED OF PROTECTIVE SERVICES

(REPEALED)

§3638. Public guardian; Department of Health and Welfare

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1973, c. 640, §1 (AMD). PL 1979, c. 540, §24-C (RP).

§3639. Purposes and responsibility

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SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1973, c. 640, §2 (AMD). PL 1977, c. 528, §1 (AMD). PL 1977, c. 627, §12 (AMD). PL 1979, c. 540, §24-C (RP).

§3640. Definition

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1977, c. 627, §13 (AMD). PL 1979, c. 540, §24-C (RP).

§3641. Nomination

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3642. Petition

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1975, c. 105, §2 (AMD). PL 1977, c. 528, §§2, 3 (AMD). PL 1977, c. 627, §14 (AMD). PL 1979, c. 540, §24-C (RP).

§3643. Appointment of guardian ad litem

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3644. Notice and hearing

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1973, c. 640, §3 (AMD). PL 1977, c. 528, §4 (AMD). PL 1977, c. 627, §15 (AMD). PL 1979, c. 127, §130 (AMD). PL 1979, c. 540, §24-C (RP).

§3645. Findings of probate court

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1977, c. 627, §16 (RPR). PL 1979, c. 540, §24-C (RP).

§3646. Duties of public guardian

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1977, c. 78, §120 (AMD). PL 1977, c. 528, §5 (RPR). PL 1977, c. 696, §173 (RPR). PL 1979, c. 540, §24-C (RP).

§3647. Bond and compensation

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3648. Special guardian

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1977, c. 627, §17 (RPR). PL 1979, c. 127, §131 (AMD). PL 1979, c. 540, §24-C (RP).

§3648-A. Limited guardian

(REPEALED)

SECTION HISTORY

PL 1977, c. 627, §18 (NEW). PL 1979, c. 540, §24-C (RP).

§3649. Priority to private guardian

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3650. Grounds for removal

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3650-A. Removal of public guardian

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3650-B. Discharge of public guardian

(REPEALED)

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1977, c. 627, §§19, 20 (AMD). PL 1979, c. 540, §24-C (RP).

§3650-C. Review**(REPEALED)**

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3650-D. Exclusiveness**(REPEALED)**

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

§3650-E. Consent to autopsy and burial arrangement**(REPEALED)**

SECTION HISTORY

PL 1973, c. 631, §1 (NEW). PL 1979, c. 540, §24-C (RP).

SUBCHAPTER 4**GUARDIANS AD LITEM****(REPEALED)****§3651. Guardian ad litem; next friend****(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3652. Settlements to be approved by court**(REPEALED)**

SECTION HISTORY

PL 1969, c. 590, §22-A (AMD). PL 1971, c. 544, §58 (AMD). PL 1979, c. 540, §24-C (RP).

§3653. Special guardians for married women**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

SUBCHAPTER 5**CONSERVATORS****(REPEALED)**

§3701. Appointment**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3702. Dismissal**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

SUBCHAPTER 6**NONRESIDENTS****(REPEALED)****§3751. Extent of guardianship****(REPEALED)**

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PL 1979, c. 540, §24-C (RP).

§3752. Appointment of agent in State**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3753. Right to property in State**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

SUBCHAPTER 7**BONDS****(REPEALED)****§3801. Bond of guardian****(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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§3851. Management of ward's estate; license to mortgage real estate

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3852. Notice of sale of ward's estate

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3853. Wife of incapacitated ward may join in deed with guardian

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3854. Guardian may invest proceeds of wife's interest; trust enforced

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3855. Deeds executed under license valid

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3856. Sale of ward's stocks, chattels and pews; investment of funds

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PL 1979, c. 540, §24-C (RP).

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PL 1979, c. 540, §24-C (RP).

§3902. Examination of bond; new bond

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3903. Oath to account

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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§3951. Vacancies; vesting in new trustee; record of decree

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3952. Vacancy in trusts; bond

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PL 1979, c. 540, §24-C (RP).

§3953. Court may order conveyance to trustee

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3954. Obligations in trust; amortization

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§3955. Authority of trustees

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SECTION HISTORY

PL 1971, c. 349 (NEW). PL 1971, c. 365 (NEW). PL 1971, c. 544, §§59, 61 (RP). PL 1979, c. 540, §24-C (RP).

**§3956. Prohibitions and requirements applicable to trusts which are private foundations
(REPEALED)**

SECTION HISTORY

PL 1971, c. 544, §§60, 61 (NEW). PL 1979, c. 540, §24-C (RP).

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PL 1979, c. 540, §24-C (RP).

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4003. Failure to give bond; examination of bond

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4004. Agent in State for nonresident trustee

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4005. Resignation or removal after notice

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PL 1979, c. 540, §24-C (RP).

§4006. Powers and duties

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PL 1979, c. 540, §24-C (RP).

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PL 1979, c. 540, §24-C (RP).

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4009. Reference or compromise

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PL 1979, c. 540, §24-C (RP).

§4010. Sale of trust estates and investment of moneys

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4011. Power of courts as to trusts

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PL 1979, c. 540, §24-C (RP).

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§4013. Executors becoming trustees by operation of law

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4014. Investment forming part of estate retained

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4015. Income earned during period of administration

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4016. Net income on general bequest in trust

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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§4051. Confirmation of voluntary trustee by judge; bond; filing of inventory

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4052. Accountability to probate judge

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4053. Remedy where trustee fails to fulfill bond

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SECTION HISTORY

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§4054. Prudence required; capital gains dividends

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4055. Exceptions

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4056. Power of court not restricted

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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PL 1977, c. 129 (RPR). PL 1979, c. 540, §24-C (RP).

§4102. Court accountings

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

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§4151. Investments registered

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4152. Separate records

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SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4153. Applicability of provisions

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §24-C (RP).

§4161. Authorization

A bank or trust company organized and doing business under the laws of any state or territory of the United States of America, including the District of Columbia, and a national bank, duly authorized

so to act, may be appointed and may serve in this State as trustee, whether of a corporate or personal trust, executor, administrator, guardian, conservator or committee for an incompetent person, or in any other fiduciary capacity, whether the appointment is by will, deed, court order or decree, or otherwise, when and to the extent that the state, territory or district in which such bank or trust company is organized grants authority to serve in like fiduciary capacities to a bank or trust company organized and doing business under the laws of this State and authorized to serve in like fiduciary capacities. [PL 1979, c. 690, §1 (REEN).]

SECTION HISTORY

PL 1967, c. 127 (NEW). PL 1979, c. 540, §24-C (RP). PL 1979, c. 690, §1 (REEN).

§4162. Application

Before qualifying or serving in this State in any fiduciary capacity, as defined in section 4161, the bank or trust company shall file an application for authority with the Secretary of State in the same form and subject to the same fees as required by Title 13-C, chapter 15. The application must be accompanied by a certificate, made within 90 days of filing, from the official having supervision of banks and trust companies where the bank was organized or is domiciled, indicating that it is duly authorized or presently existing, that it has authority to act in the fiduciary capacity for which it is qualifying and that the jurisdiction grants authority to serve in like fiduciary capacities to a bank or trust company organized under the laws of this State and authorized to serve in like fiduciary capacities. If the person supervising banks and trust companies cannot certify to reciprocity, it must be done by the attorney general of its state of domicile. In addition, the application must designate the Secretary of State as the person upon whom all notices and processes issued by or to any court of this State must be served in any action or proceeding relating to any trust, estate or matter within this State in which that bank or trust company is acting in any fiduciary capacity with like effect as personal service on that bank or trust company, the designation is irrevocable as long as any liability remains outstanding against that bank or trust company in this State. Upon receipt of the notice or process, the Secretary of State shall forthwith forward the same by registered mail to that bank or trust company at the address stated in the application. [RR 2001, c. 2, Pt. B, §36 (COR); RR 2001, c. 2, Pt. B, §58 (AFF).]

SECTION HISTORY

PL 1967, c. 127 (NEW). PL 1971, c. 439, §14 (AMD). PL 1973, c. 324 (RPR). PL 1979, c. 540, §24-C (RP). PL 1979, c. 690, §1 (REEN). RR 2001, c. 2, Pt. B, §36 (COR). RR 2001, c. 2, Pt. B, §58 (AFF).

§4163. Limitation

Sections 4161, 4162, 4163-A or this section shall not be construed to prohibit, permit or affect in any other way the right of a bank or trust company, organized and doing business under the laws of any other state, territory or district than Maine, including a national bank doing business in any other state, to establish in this State a place of business, branch office or agency for the conduct of business as a fiduciary. [PL 1979, c. 690, §1 (REEN).]

SECTION HISTORY

PL 1967, c. 127 (NEW). PL 1979, c. 540, §24-C (RP). PL 1979, c. 690, §1 (REEN).

§4163-A. Corporation; application

Nothing in sections 4161 to 4163 or this section requires any corporation to file an application pursuant to sections 4161 to 4163 or this section if the corporation is deemed not to be doing business in this State under Title 13-C, section 1501 and Title 18-C, section 7-103. [PL 2017, c. 402, Pt. C, §34 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

SECTION HISTORY

PL 1979, c. 690, §2 (NEW). RR 2001, c. 2, Pt. B, §37 (COR). RR 2001, c. 2, Pt. B, §58 (AFF). PL 2017, c. 402, Pt. C, §34 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§4164. Application

(REPEALED)

SECTION HISTORY

PL 1967, c. 127 (NEW). PL 1979, c. 540, §24-C (RP).

§4165. Penalty

(REPEALED)

SECTION HISTORY

PL 1967, c. 127 (NEW). PL 1979, c. 540, §24-C (RP).

CHAPTER 507

DURATION OF POWER OF ATTORNEY

(REPEALED)

§4201. When power of attorney is not affected by disability

(REPEALED)

SECTION HISTORY

PL 1975, c. 34 (NEW). PL 1979, c. 540, §24-C (RP).

§4202. Other powers of attorney are not revoked until notice of death or disability

(REPEALED)

SECTION HISTORY

PL 1975, c. 34 (NEW). PL 1979, c. 540, §24-C (RP).

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