

*132nd Legislature*  
**Senate**  
**of Maine**  
*Senate District 31*

**Senator Donna Bailey**  
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*Testimony of Senator Donna Bailey introducing*  
**LD 1545, An Act to Clarify the Maximum Value That a Small Estate May Be Under the**  
**Maine Uniform Probate Code to Permit Collection of Personal Property by Affidavit**  
*Before the Joint Standing Committee on Judiciary*  
Monday, April 14, 2025

Senator Carney, Representative Kuhn, and Esteemed Members of the Joint Standing Committee on Judiciary, my name is Donna Bailey, and I proudly represent Senate District 31, which includes Buxton, Old Orchard Beach, and Saco. Today, as a former Probate Judge, I am pleased to introduce my bill LD 1545, “An Act to Clarify the Maximum Value That a Small Estate May Be Under the Maine Uniform Probate Code to Permit Collection of Personal Property by Affidavit.”

This bill is being introduced at the request of the Maine Credit Union League. Because the Probate Code in one section indicates the maximum value for a Small Estate Affidavit is \$40,000.00, but also indicates in another part of the Code that this amount is adjusted for inflation, it is difficult for those on the front lines at financial institutions to determine if an Affidavit is below the current threshold or not.

LD 1545 is a straightforward bill that would fix a real problem. It would make clear that the \$40,000 maximum value is adjusted for inflation and indexed to cost-of-living adjustments, and cross-reference that other part of the Probate Code.

Additionally, the bill would require that County Probate Courts publish the value of this \$40,000 figure – as adjusted for inflation and cost-of-living adjustments. This value would be posted on the Courts’ publicly accessible websites.

I thank the Committee for its time, and I would be happy to answer any questions.



**Donna Bailey**  
State Senator, Senate District 31  
*Buxton, Old Orchard Beach, and Saco*