

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1271

H. P. 1044

House of Representatives, March 24, 1977

Referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Talbot of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Increase Probate Filing Fees.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the quick, efficient and accurate disposition of probated assets is vital to the citizenry of Maine; and

Whereas, county probate offices, which make this disposition possible are supported by counties, with the level of support being largely determined by the fees paid into those probate offices; and

Whereas, it is evident that the current fees allowed by statute are insufficient to cover the costs of operation of county probate offices; and

Whereas, it is vital that these fees be immediately increased so that the level of support received by county probate offices is sufficient to enable them to do their job; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

18 MRSA § 552, sub-§ 2, as last amended by PL 1973, c. 451, § 3, is repealed and the following enacted in its place:

2. Petition to probate. Receiving and entering each petition to probate a will, including foreign wills, and each petition for the administration of an estate, a fee to be determined by the following schedule:

VALUE OF ESTATE	FEE
to \$10,000	\$ 10
10,001 to 20,000	20
20,001 to 30,000	30
30,001 to 40,000	40
40,001 to 50,000	50
50,001 to 60,000	60
60,001 to 70,000	70
70,001 to 80,000	80
80,001 to 90,000	90
90,001 to 100,00	100
100,001 to 110,000	110
110,001 to 120,000	120
120,001 to 130,000	130
130,001 to 140,000	140
140,001 to 150,000	150
150,001 to 160,000	160
160,001 to 170,000	170
170,001 to 180,000	180
180,001 to 190,000	190
190,001 to 200,000	200
200,001 to 210,000	210
210,001 to 220,000	220
220,001 to 230,000	230
230,001 to 240,000	240
240,001 or more	250

In addition, the registrar shall receive a fee of 25¢ for each heir-at-law notified, excluding the petitioner.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The costs of the county probate offices should be paid for by the users of those offices. This bill increases probate filing fees to enable these offices to become self-supporting.