

MAINE STATE LEGISLATURE

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9 Oct 19

L.D. 201

STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-28)

COMMITTEE AMENDMENT "A " to S. P.104, L.D. 201, Bill, "AN ACT
Relating to Filing Abstracts of Divorce Decrees with Registry
of Deeds."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'Sec. 1. 19 MRSA §722-A, sub-§5 is enacted to read:

5. Decree contents. If the final divorce decree disposes
of real property under this section, it shall name the party
responsible for preparing and filing the abstract and paying
the filing fee under section 725. The decree may name different
parties to be responsible for different parcels.

Sec. 2. 19 MRSA §725, 2nd¶, as repealed and replaced by
PL 1975, c. 488, is repealed and the following enacted in its
place:

Each party or his attorney shall include, with any draft final
decree submitted to the court, the abstracts that are necessary
to implement that decree. The filing fee for the decree or
abstracts shall be paid to the clerk prior to the signing of
the final decree. The clerk of the court in which the divorce
is granted shall, at the expiration of any appeal period from that
decree, send the decree or abstract for recording, by registered
mail, or deliver the decree or abstract to the proper registries.

Sec. 3. 33 MRSA §751, sub-§1-A is enacted to read:

1-A. Divorce decrees or abstracts. Receiving, recording and indexing a divorce decree or a decree abstract, the sum of \$5.1

Statement of Fact

This amendment changes the procedure for filing divorce decrees or abstracts.

The amendment also requires the court to name the parties responsible for preparing abstracts and requires that draft abstracts be included with draft decrees. The amendment also requires that the filing fees be paid at the time of the signing of the decree. To remove problems on the collection of that fee, the amendment also changes the filing fee to a flat charge regardless of the number of pages. The slight loss in revenue will be offset by the certainty of collecting all fees.

Reported by the Committee on Judiciary.

Reproduced and distributed pursuant to Senate Rule 11-A.

March 8, 1979

(Filing No.S-28)