

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 531

H. P. 416

House of Representatives, February 13, 1979

On Motion of Mr. Hobbins of Saco, referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Howe of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Increase Fees for Filing of Probate Instruments.

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

Whereas, the fees charged for filing of instruments have not been increased in the recent past; and

Whereas, the cost of county government has risen sharply in the recent past; and

Whereas, an increase in fees is necessary to defray the cost of county government; 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:

Sec. 1. 18 MRSA § 261, as enacted by PL 1975, c. 331, is repealed.

Sec. 2. 18 MRSA § 522, sub-§ 2, as last amended by PL 1973, c. 451, § 3, is further amended to read:

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, when the value of the estate is under \$10,000, \$5; \$10,000 to \$20,000, \$10; \$20,001 to \$30,000, \$20; \$30,001 to \$40,000, \$30; \$40,001 to \$50,000, \$40; over \$50,000 ~~\$50~~ **\$1 per \$1,000 up to and including \$250,000;**

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

STATEMENT OF FACT

This bill increases the fees charged for filing petitions to probate for reasons set forth in the emergency preamble.