

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

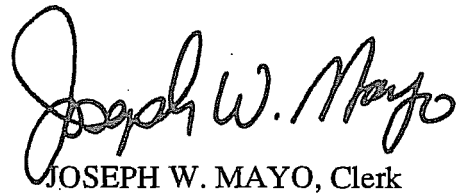
No. 673

H.P. 515

House of Representatives, February 25, 1993

An Act to Amend the Provisions of the Probate Code Providing Filing Fees and Duties of Registers of Probate.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative FARNSWORTH of Hallowell.
Cosponsored by Representative: PARADIS of Augusta.

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

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4 **Sec. 1. 18-A MRSA §1-503, first ¶**, as enacted by PL 1979, c. 540, §1, is amended to read:

6 Registers of probate shall have the care and custody of all
8 files, papers and books belonging to the probate office, and
10 shall duly record all wills proved, letters of ~~administration~~
12 authority or guardianship granted, bonds approved, accounts
14 allowed, all petitions for distribution and decrees thereon and
16 all petitions, decrees and licenses relating to the sale,
18 exchange, lease or mortgage of real estate, all petitions and
20 decrees relating to adoption and change of name, and such orders
22 and decrees of the judge, and other matters, as he ~~the judge~~
24 directs. They Registers of probate shall keep a docket of all
26 probate cases and shall, under the appropriate heading of each
28 case, make entries of each motion, order, decree and proceeding
30 so that at all times the docket will--~~show~~ shows the exact
32 condition of each case. Any register may act as an auditor of
accounts when requested to do so by the judge and his ~~the~~
register's decision shall--~~be~~ is final unless appeal is taken in
the same manner as other probate appeals. The records may be
attested by the volume, and it shall--~~be~~ is deemed to be a
sufficient attestation of such records, when each volume thereof
bears the attest with the written signature of the register or
other person authorized by law to attest such records. The
registers of probate may bind in volumes of convenient size
original inventories and accounts filed in their respective
offices, and, when so bound and indexed, such inventories and
accounts shall--~~be~~ are deemed to be recorded in all cases where
the law requires a record to be made, and no further record shall
be is required.

34 **Sec. 2. 18-A MRSA §1-602, ¶(1)**, as amended by PL 1981, c. 279,
36 §10, is further amended to read:

38 (1) For making and certifying to the register of deeds
40 copies of devises of real estate, abstracts of petitions for
42 appointment of a personal representative or for an elective
44 share, and any other document for which such certification
46 is required, \$6 ~~\$8~~, except as otherwise expressly provided
48 by statute law. The fee shall must be paid by the personal
representative, petitioner or other person filing the
document to be certified when the copy of the devise or
abstracts are made. The register of deeds shall must receive
the fee set established in Title 33, section 751 when the
certified copy is furnished to him the register of deeds.

50 **Sec. 3. 18-A MRSA §1-602, ¶(2)**, as repealed and replaced by PL
1987, c. 392, §1, is amended to read:

- 2 (2) For receiving and entering each petition or application
 4 for all estates, testate and intestate, including foreign
 estates, and the filing of a notice by a domiciliary foreign
 6 personal representative when the value of the estate is:
- 8 (i) For filing a will without probate, no fee;
 - 10 (ii) For filing a will to be probated and without an
 appointment, \$10;
 - 12 (iii) \$10,000 and under, \$15;
 - 14 (iv) \$10,001 to \$20,000, \$30;
 - 16 (v) \$20,001 to \$30,000, \$45;
 - 18 (vi) \$30,001 to \$40,000, \$60;
 - 20 (vii) \$40,001 to \$50,000, \$75;
 - 22 (viii) \$50,001 to \$75,000, \$100;
 - 24 (ix) \$75,001 to ~~\$150,000~~ \$100,000, \$150;
 - 26 (x) ~~\$150,001~~ \$100,001 to ~~\$250,000~~ \$150,000, \$200;
 - 28 (xi) ~~\$250,001~~ \$150,001 to ~~\$500,000~~ \$200,000, ~~\$300~~ \$250;
 - 30 (xii) ~~\$500,001~~ \$200,001 to ~~\$1,000,000~~ \$250,000, ~~\$400~~
\$300;
 - 32 (xiii) ~~\$1,000,001~~ \$250,001 to ~~\$2,000,000~~ \$300,000,
 34 ~~\$500~~ \$350; or
 - 36 (xiv) ~~More-than-\$2,000,000~~ \$300,001 to \$400,000, ~~\$600~~
\$400;
 - 38 (xv) \$400,001 to \$500,000, \$450;
 - 40 (xvi) \$500,001 to \$750,000, \$500;
 - 42 (xvii) \$750,001 to \$1,000,000, \$550;
 - 44 (xviii) \$1,000,001 to \$1,500,000, \$600;
 - 46 (xix) \$1,500,001 to \$2,000,000, \$700; or
 - 48 (xx) More than \$2,000,000, \$750.
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STATEMENT OF FACT

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6 This bill changes the word "administration" to the word
8 "authority" in describing certain documents recorded by registers
10 of probate. The bill also provides for an increase in certain
filing and certification fees by registers of probate. Several
grammatical changes are also made.

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