

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1374

S.P. 472

In Senate, March 17, 2005

### An Act To Require a Surcharge on Probate Documents

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator COWGER of Kennebec.  
Cosponsored by Representative BARSTOW of Gorham and  
Representative: SCHATZ of Blue Hill.

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

4 **Sec. 1. 18-A MRSA §1-607** is enacted to read:

6 **§1-607. Surcharge for restoration, storage and preservation  
of records**

8 (1) In addition to any other fees required by law, a  
10 register of probate shall collect a surcharge of \$10 per  
petition, application or complaint filed in the Probate Court.

12 (2) The surcharge imposed in subsection (1) must be  
14 transferred to the county treasurer, who shall deposit it in a  
separate, nonlapsing account within 30 days of receipt. Money in  
16 the account is not available for use as general revenue of the  
county. Interest earned on the account must be credited to the  
account.

18 (3) The money in the account established in subsection (2)  
20 must be used for the restoration, storage and preservation of the  
records filed in the office of the register of probate and in  
22 Probate Court. No withdrawals from this account may be made  
24 without the express written request or approval of the register  
of probate.

26 **SUMMARY**

28 This bill imposes a surcharge of \$10 per petition,  
30 application or complaint filed in the Probate Court. The money  
32 collected as a result of the surcharge must be deposited in a  
34 separate, nonlapsing account and used for the restoration,  
storage and preservation of the records filed in the office of  
the register of probate and in Probate Court.