

MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D L E G I S L A T U R E

Legislative Document

No. 700

H. P. 1069

House of Representatives, February 12, 1947.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Muskie of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

**AN ACT Relating to Determination of Valuation of Property With
Relation to Inheritance Tax.**

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

R. S., c. 142, § 26, repealed and replaced. Section 26 of chapter 142 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 26. Commissioner to determine value of property; appeal. The value of the property upon which the tax is computed shall be the appraised value of the property as set out in the inventory filed in accordance with section 24, and such value shall be final unless it shall be altered by proceedings as hereinafter provided.

At any time within 30 days after such inventory has been filed the commissioner may apply by petition in equity to the probate court in the county where the estate is being administered for alteration of such value; and the executor, administrator, or trustee and all persons interested in the succession shall be made parties to said proceeding and shall be given notice thereof as the judge of probate may, in his discretion, deem necessary. The court shall determine whether such appraised value is the fair value of the property and shall approve or alter such appraised value in

accordance with its determination. Questions of law may be reported by the probate court to the supreme judicial court sitting as a court of law.

If the commissioner shall not apply for alteration of the appraised value as hereinabove provided, and upon expiration of the time provided therefor, he shall certify the appraised value as the value upon which the tax is to be computed to the persons by whom the tax is payable; and, at any time within 90 days after such certification, any party interested in the succession may apply to the probate court for alteration of such value in the same manner as provided above for such application by the commissioner.'