

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

islature having jurisdiction over economic development matters by July 1, 1992 1993. The report must be updated annually and as otherwise requested by the joint standing committee. The strategic plan must include:

(1) Determination of how firms in the State will be affected by the reduction of output by prime contractors and bases, how defense realignment will affect local and state government services and the adequacy and effectiveness of existing federal, state and local dislocation response capacity;

(2) Assessment of the current capacity of at-risk businesses and workers to reduce their defense dependency;

(3) Identification of sources of assistance for local and regional planning efforts, including coordination of local and regional efforts;

(4) Development of a comprehensive strategy for reducing the State's defense capacity dependency, including identification of steps required to: encourage, assist and strengthen local development capacity in at-risk regions; help diversify the reemployment base; enhance reemployability of workers; broaden the markets of defense-dependent firms; and anticipate and mitigate impacts on communities associated with defense-spending reductions; and

(5) Identification of barriers to the effective implementation of the plan and recommendation of actions to remove these barriers;

B. Prepare and submit legislation by October 1, 1992 1993 and as necessary thereafter that:

(1) Identifies how state agencies will assist the regions in achieving their objectives;

(2) Provides for adequate incentives and resources to implement state, regional and industry strategic plans; and

(3) Provides for adjustment assistance for communities and workers while the economy adjusts to reductions in defense spending;

C. Coordinate funding, technical assistance and other support to defense-dependent regional and industry planning committees to help various regions of the State develop and implement economic conversion and diversification goals, objectives and strategies; ~~and~~

D. Coordinate state efforts toward the adoption of federal legislation and policies that support economic conversion and diversification planning, commercial industries, market opportunities and global competitiveness: and

E. Monitor federal funding sources for technical development, economic conversion and diversification planning and identify federal funds available and the steps necessary to apply for or receive those funds.

Sec. 2. Retroactivity. That part of this Act that amends the Maine Revised Statutes, Title 5, section 3307-E, subsection 4, paragraphs A and B takes effect retroactively to July 1, 1992.

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

Effective May 25, 1993.

CHAPTER 147

S.P. 176 - L.D. 590

An Act to Amend the Statutory Provisions Governing the Time and Method of Paying Restitution

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

Sec. 1. 17-A MRSA §1326, as amended by PL 1991, c. 816, §1, is further amended to read:

§1326. Time and method of restitution

When restitution is authorized, the time and method of payment or of the performance of the services must be specified. Except when the offender is placed on probation, monetary compensation may be ordered paid to the office of the prosecuting attorney who is prosecuting the case or to the clerk of the court. If the offender is placed on probation, the compensation may be ordered paid to the Department of Corrections, Division of Probation and Parole. The state agency receiving the restitution shall deposit any money received in the account maintained by the ~~State Treasurer~~ Treasurer of State for deposit of state agency funds, from which funds are daily transferred to an investment account and invested. Interest accrued on that money is the property of and accrues to the State for deposit in the General Fund. The agency receiving the restitution shall make the disbursement to the victim or other authorized claim-

ant as soon as possible after the agency receives the money. If the compensation is paid to the Department of Corrections, Division of Probation and Parole, the office of the prosecuting attorney who prosecuted the case may request that the Commissioner of Corrections direct that the compensation be forwarded to the office of the prosecuting attorney, which shall make the disbursement to the victim or other authorized claimant as soon as possible.

See title page for effective date.

CHAPTER 148

H.P. 515 - L.D. 673

An Act to Amend the Probate Code Providing Duties of Registers of Probate

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

Sec. 1. 18-A MRSA §1-307, as enacted by PL 1979, c. 540, §1, is amended to read:

§1-307. Register; powers

The register has the power to probate wills and appoint personal representatives as provided in sections 3-302 and 3-307 and to perform other duties as set out in this Title generally. The acts and orders which that this Code specifies as performable by the register may also be performed by a judge of the court or by a deputy register appointed under the provisions of section 1-506.

Sec. 2. 18-A MRSA §1-503, first ¶, as enacted by PL 1979, c. 540, §1, is amended to read:

Registers of probate shall have the care and custody of all files, papers and books belonging to the probate office; and shall duly record all wills proved probated formally or informally, letters of administration or authority of a personal representative, guardianship granted or conservatorship issued, bonds approved, accounts filed or allowed, all informal applications and findings, all petitions for distribution and decrees thereon and all petitions, decrees and licenses relating to the sale, exchange, lease or mortgage of real estate, decrees, orders or judgments of the judge, including all petitions and, decrees or orders relating to adoption adoptions and change changes of name, and such orders and decrees of the judge, names and other matters, as he the judge directs. They Registers of probate shall keep a docket of all probate cases and shall, under the appropriate heading of each case, make entries of each motion, order, decree and proceeding so that at all times the docket will show shows the exact condition of each case. Any register may act as an auditor of accounts when requested to do so by the judge and his the judge'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 those~~ records; when each volume ~~thereof~~ bears the attest with the written signature of the register or other person authorized by law to attest ~~such those~~ 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 those~~ inventories and accounts ~~shall be are~~ deemed to be recorded in all cases ~~where when~~ the law requires a record to be made; and no further record ~~shall be is~~ required.

Sec. 3. 18-A MRSA §1-602, sub-§(1), as amended by PL 1981, c. 279, §10, is further amended to read:

(1) For making and certifying to the register of deeds copies of devises of real estate, abstracts of petitions for appointment of a personal representative or for an elective share; and any other document for which ~~such~~ certification is required, \$6, except as otherwise expressly provided 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 is~~ made. ~~The register of deeds shall receive the fee set in Title 33, section 751 when the certified copy is furnished to him. The register of probate shall deliver the certified document to the register of deeds together with the fee for recording as provided by Title 33, section 751. The personal representative, petitioner, applicant or other person requesting the certification shall pay the recording fee to the register of probate.~~

Sec. 4. 18-A MRSA §1-602, sub-§(2), as repealed and replaced by PL 1987, c. 392, §1, is amended to read:

(2) For receiving and entering each petition or application for all estates, testate and intestate, including foreign estates, and the filing of a notice by a domiciliary foreign personal representative when the value of the estate is:

- ~~(i) For filing a will without probate, no fee;~~
- (ii) For filing a will to be probated and without an appointment, \$10;
- (iii) \$10,000 and under, \$15;
- (iv) \$10,001 to \$20,000, \$30;
- (v) \$20,001 to \$30,000, \$45;
- (vi) \$30,001 to \$40,000, \$60;