

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-217)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 766, L.D. 936, Bill, "AN ACT to Clarify the Duties of the Register of Deeds."

Amend the Bill by striking out all of section 13 and inserting in its place the following:

'Sec. 13. 17 MRSA §2741, 3rd sentence is amended to read:
Such injunction ~~shall be recorded within 30 days in the registry of deeds in the county where said nuisance is located and~~ shall forever run against the building or other place or structure in which ^{the} said/nuisance is committed.'

Further amend the Bill by striking out all of section 26 and inserting in its place the following:

'Sec. 26. 33 MRSA §651-A is enacted to read:
§651-A. Signatures

No instrument may be accepted by a registry of deeds for recording unless underneath the signatures of the parties to the instrument and any person taking an acknowledgement of the instrument the name of the signer is typed or printed.'

Further amend the Bill in section 27, by striking out everything after the amending clause and inserting in its place the following:

Within ~~one-hour~~ 24 hours after its delivery to him, the register shall enter ~~such-time,~~ the names of the grantor and grantee ~~and their-places-of-residence,-the-nature-of-the-instrument,-the-amount of-the-consideration-named-therein--and-the-name-of-the-town-or unincorporated-place-as-shown-by-the-instrument-in-which-the-property-conveyed-is-located,~~ in a book kept for that purpose and open to inspection in business hours.'

Further amend the Bill by inserting after section 27 the following:

'Sec. 28. 33 MRSA §664, 3rd paragraph is amended to read:

The fee to be paid by the United States to registers of deeds for recording each such notice or discharge is ~~50¢~~ \$5, which need not be prepaid.'

Further amend the Bill by striking out all of section 37 and inserting in its place the following:

'Sec. 37. 36 MRSA §1281, last sentence, as amended by PL 1979, c. 666, §31, is further amended to read:

The costs to be charged by the register of deeds for such filing shall not exceed ~~\$3~~ \$5.'

Further amend the Bill by renumbering the sections to read consecutively.

Statement of Fact

This amendment changes section 13 of the bill so that a subchapter concerning certain types of nuisances is not longer repealed. The amendment simply removes the involvement of the register of deeds with injunctions against these nuisances.

The amendment of section 26 deletes the proposed requirement that all signatures on a recorded instrument be accompanied by a printed or typed name and replaces it with the requirement that only the parties to and acknowledger of an instrument must print or type their names.

The amendment of section 27 reduces the amount of information from a deed the register must keep in a special book.

The addition of new sections 28 and 37 simply corrects omitted statutory references requiring amendment to coincide with the fee changes proposed in sections 32 and 34.

Section 37 of the bill, dealing with real estate title transfer taxes, is deleted because it will be placed in a separate bill.

Reported by the Committee on Local and County Government.
Reproduced and distributed under the direction of the Clerk of the House.

4/15/81

(Filing No. H-217)