

# MAINE STATE LEGISLATURE

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(New Draft of H.P. 128, L.D. 136)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

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Legislative Document

No. 863

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H.P. 692

House of Representatives, February 24, 1983

Reported by Representative Bost from the Committee on Local and County Government and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-THREE

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AN ACT to Require Printed or Typewritten  
Names to Accompany Signatures on Documents  
Filed in the Registry of Deeds.

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

33 MRS A §651-A is enacted to read:

§651-A. Grantor, grantee names; form of indexing

No instrument executed on or after September 1, 1983, may be accepted by a register of deeds for recording unless beneath the signature of the grantor, grantee, if it appears on the instrument, and the person taking the acknowledgement, the name of each signer is typed or printed. Names used for indexing shall be indexed as typed or printed under each signature. A name may be typed or printed under a signature at the registry of deeds by the person

1 bringing the instrument to the registry, provided the  
2 name is typed or printed on the instrument prior to  
3 the certification on the instrument under section 653  
4 of the time when the instrument was received.

5 STATEMENT OF FACT

6 The original bill required the names of a  
7 grantor, a grantee and the person taking the acknowl-  
8 edgement to be typed or printed under their  
9 signatures.

10 This new draft retains the requirements of the  
11 original bill, but adds some clarifying language.

12 This new draft makes it clear that grantees'  
13 signatures do not often appear on deeds and other  
14 similar instruments, and that this section of the law  
15 should not be interpreted to require a grantee to  
16 sign an instrument where that signature is not usu-  
17 ally necessary.

18 This new draft also makes the requirements of  
19 Title 33, section 651-A applicable only to instru-  
20 ments executed on or after September 1, 1983. This  
21 provision means that a deed executed several years  
22 ago but not brought to the registry of deeds for  
23 recording until after the effective date of Title 33,  
24 section 651-A, will not be subject to the requirement  
25 of having names printed or typed under signatures.  
26 Such a requirement applied to old instruments might  
27 cause confusion or hardship since the signers them-  
28 selves might not be available to print or type their  
29 names.

30 This new draft also deals with the situation of  
31 an instrument executed on or after September 1, 1983,  
32 being brought to the registry of deeds without names  
33 being typed or printed under the signatures. While  
34 usual practice should be to have names printed or  
35 typed under signatures at the time the signatures are  
36 made, this new draft makes it clear that should the  
37 printed or typed names be omitted they may be added  
38 at the registry of deeds before the instrument is  
39 recorded.