

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 136

H.P. 95

House of Representatives, January 14, 1991

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

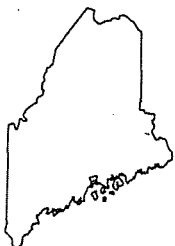
Presented by Representative LOOK of Jonesboro.

Cosponsored by Representative SAVAGE of Union and Senator BRAWN of Knox.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Enhance the Filing of Documents in the Registry of Deeds.



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

2
4 Sec. 1. 33 MRSA §652, as amended by PL 1973, c. 485, is repealed and the following enacted in its place:

6 §652. Books for recording plans; strong linen paper required

8 The county commissioners shall provide, at the expense of the several counties, suitable storage for plans with a minimum size of 12 by 18 and a maximum of 24 by 36 inches in dimension, for the preservation of such plans.

12 No plan may be accepted for recording unless all of the following criteria are met. The plan must:

16 1. Materials. Be drawn upon strong linen cloth or polyester film with archival photographic image;

18 2. Seals. Be embossed with the seal of an architect, professional engineer or registered land surveyor;

22 3. Signature. Contain the signature and address of the person who prepared the plan;

24 4. Recording information. Provide a space for recording the county, date, time, plan book and page or file number and register's attest; and

28 5. Title. Provide a title block containing the name of the plan, the record owner's name and address, the location by street and town and the date of the plan.

30 Original plans must be recorded with a paper copy. The register shall permanently file the original and maintain the copy for public inspection. Suitable arrangements must be made for the preserving of original plans while affording the public reasonable opportunity to examine either the original or a reproduction. No additional fee is required for recording the copy. Each register shall maintain an index of all plans on records in the register's office.

32 The several registers shall establish, and thereafter adhere to, reasonable standards for the implementation of reproducing copies of original plans as recorded. Reproduction must be on a scale of one to one and must be accomplished with the least possible error and distortion. Methods of reproduction must be to standards in keeping with accepted engineering and survey practices.

34 Sec. 2. 33 MRSA §751, sub-§1, as amended by PL 1981, c. 279, §24, is further amended to read:

1. **Deed or mortgage.** Receiving, recording and indexing any deed or mortgage or any other instrument which is entitled to be recorded and for which a specific fee is not set forth in this section or in any other section, the sum of \$6 ~~\$8~~ for the first record page and \$2 for each additional record page or portion thereof. In addition, if more than 4 names are to be indexed, a fee of 25¢ shall must be paid for each additional name, counting all grantors and grantees;

Sec. 3. 33 MRSA §751, sub-§1-A, as amended by PL 1981, c. 279, §25, is further amended to read:

1-A. **Divorce decrees or abstracts.** Receiving, recording and indexing a divorce decree or abstract thereof, the sum of \$6 ~~\$8~~;

Sec. 4. 33 MRSA §751, sub-§8, as repealed and replaced by PL 1987, c. 645, §3, is amended to read:

8. **Federal liens.** Recording and indexing notices and discharges of federal tax liens and other federal liens, notices of which under any Act of Congress or any federal regulation are required or permitted to be filed, \$5 ~~\$8~~;

Sec. 5. 33 MRSA §751, sub-§10, as amended by PL 1981, c. 557, §3, is further amended to read:

10. **Municipal and unorganized territory tax liens.** Recording and indexing a municipal or unorganized territory tax lien filed in accordance with Title 36, section 942 or 1281, the sum of \$5 ~~\$8~~, together with an additional \$5 ~~\$8~~ for recording and indexing each discharge of a municipal or unorganized territory tax lien or a waiver of foreclosure of a tax lien mortgage;

Sec. 6. 33 MRSA §751, sub-§12, as amended by PL 1981, c. 279, §30, is further amended to read:

12. **District liens.** Receiving, recording and indexing any sewer or water district lien or discharge thereof, the sum of \$5 ~~\$8~~ each;

Sec. 7. 33 MRSA §751, sub-§13, as repealed and replaced by PL 1981, c. 279, §31, is amended to read:

13. **Secured transactions.** For receiving, indexing and filing original, assignment, continuation, termination or other statements in secured transactions, the sum of \$6 ~~\$8~~ for the first record page and \$2 for each additional record page;

Sec. 8. 33 MRSA §751, sub-§14-A, as enacted by PL 1983, c. 795, §6, is amended to read:

14-A. Bail liens. Receiving, recording and indexing any
2 bail lien or discharge thereof, the sum of \$5 ~~\$8~~ each; and

4 Sec. 9. 36 MRSA §4641-B, 5th ¶, as amended by PL 1983, c. 859,
Pt. M, §10, is further amended to read:

6
8 Each register of deeds shall, on or before the 10th day of
each month, pay over to the State Tax Assessor 90% 75% of the tax
10 must be retained for the county by the register of deeds and
collected during the previous month. The remaining ~~10%~~-shall 25%
12 accounted for to the county treasurer as reimbursement for
services rendered by the county in collecting the tax.

14
16 **STATEMENT OF FACT**

18 This bill changes 3 distinct aspects of filing records with
the register of deeds. The bill:

20 1. Details the criteria that a plan must meet in order to
be filed;

22 2. Standardizes and increases the fee for the first page of
24 recording to \$8; and

26 3. Increases the percentage of the filing fee that is
retained by the county.