

MAINE STATE LEGISLATURE

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DATE: 5-1-01

(Filing No. H-252)

MAJORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 991, L.D. 1328, Bill, "An Act to Amend the Laws Governing Registers of Deeds"

Amend the bill in section 2 in that part designated "§651-B." in the first paragraph in the first line (page 2, line 1 in L.D.) by inserting after the following: "documents" the following: 'dated after October 1, 2003 that are'

Further amend the bill in section 2 in that part designated "§651-B." by striking out all of subsection 1 and inserting in its place the following:

'1. Paper size. All pages to be recorded must be submitted on 8-1/2-by-11-inch white paper.'

Further amend the bill in section 2 in that part designated "§651-B." by striking out all of subsection 3 and inserting in its place the following:

'3. Type size and style. All pages to be recorded must be submitted with text no smaller than the equivalent of 10-point type size in Times New Roman font style, using black ink.'

Further amend the bill in section 2 in that part designated "§651-B." by inserting at the end the following:

'5. Exemption. All documents submitted by the Department of the Secretary of State are exempt from the requirements of this section.'

COMMITTEE AMENDMENT

Further amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 33 MRSA §752, sub-§4, as enacted by PL 1997, c. 503, §1, is amended to read:

4. Repeal. This section is repealed January 1, ~~2002~~ 2005.'

Further amend the bill in section 4 in the 2nd line (page 2, line 36 in L.D.) by striking out the following: "repeals" and inserting in its place the following: 'amends'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The requirement that paper records maintained by registries of deeds comply with certain standards represents a state mandate pursuant to the Constitution of Maine. The additional local costs can not be determined. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and 2/3 of the members of each House vote to exempt this mandate from the funding requirement, the registries of deeds may not be required to implement these changes.

Some state departments and agencies may incur additional costs to comply with the new methods for recording instruments with registries. These additional costs and the amounts of any General Fund appropriations that may be required can not be determined at this time.'

SUMMARY

This amendment amends the original bill by making less specific the requirements governing type of paper and style of type for any document submitted to any registry of deeds in the State after October 1, 2003. The amendment also exempts the Department of the Secretary of State from the provisions regarding certain requirements for documents submitted to a registry and extends the repeal date to January 1, 2005 for the \$3 per document records preservation surcharge that a register of

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deeds may collect for all documents recorded in the registry of
deeds.

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This amendment also adds a fiscal note to the bill.

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