

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1328

H.P. 991

House of Representatives, March 5, 2001

An Act to Amend the Laws Governing Registers of Deeds.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BRANNIGAN of Portland.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: HONEY of Boothbay, TRAHAN of Waldoboro, Senator: FERGUSON of
Oxford.

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

2 Sec. 1. 33 MRSA §651, as amended by PL 1965, c. 215, is
4 repealed and the following enacted in its place:

6 §651. Records; index

8 All registries shall keep records as follows:

10 1. Indexing. A register shall make an alphabetical index
12 to the records without charge to the county, in the form known as
14 a ledger index, so that the same surnames may be recorded
16 together in each column of the index or, in lieu of such a ledger
18 index, shall make a suitable card index. All indexes made under
this section must show, in addition to the names of the parties
and the nature of the instrument, the date of the instrument, the
date of its record and the name of the city, town or
unincorporated place where the land conveyed is situated;

20 2. Consolidation of records. The register periodically
22 shall revise and consolidate the index under subsection 1 in such
24 a manner that all deeds recorded since the last revision of the
26 index are indexed so that the same surnames appear together and
all names are in alphabetical order. This revised and
consolidated index must contain all data as to each and every
deed or other instrument;

28 3. Conformity or replaced records or volumes. When for any
30 cause it becomes necessary to revise, renew or replace any index,
the new volume must be made in conformity with this section; and

32 4. Recordkeeping. The records in each registry office must
34 be made and kept for public inspection on paper, microfilm or
36 microfiche or by digital image stored on magnetic or optical
38 media. If the registry keeps its records on paper, the paper
40 must be white, 20-pound, acid-free paper. Registers shall
42 prepare or have prepared a backup record of each page of every
44 instrument, plan or other document recorded in each registry
office on microfilm. The backup record must be stored in a
fireproof area. When original record books or plans are
considered by the register to be in a condition that warrants
withdrawal from regular use, the register may provide suitable
means for reading records of the withdrawn instruments on
microfilm or microfiche or by digital image stored on magnetic or
optical media.

46 Sec. 2. 33 MRSA §651-B is enacted to read:

48 §651-B. Documents submitted to registry; form
50

2 All documents submitted to any registry of deeds in the
3 State must comply with this section.

4 1. Paper weight and size. All pages to be recorded must be
5 submitted on 8-1/2-by-11-inch, white, 20-pound acid-free paper.

6
7 2. Margins. All pages to be recorded must have a one-inch
8 margin, except that the top of the first page must have a 3-inch
9 margin.

10
11 3. Type size and style. All pages to be recorded must be
12 submitted with black, Times New Roman font style type that is no
13 smaller than the equivalent of 10-point type size.

14
15 4. Administrative information. All administrative
16 information must appear at the beginning of the document, except
17 that documents may be submitted with administrative information
18 on the left side of the top margin on the first page. For
19 purposes of this subsection, "administrative information" means
20 the grantor and grantee names, the property's location by town,
21 city or plantation, references to the original document, parcel
22 and tax identification numbers, preparer information and
23 information indicating to whom the document is to be returned.
24 The top right side of the first page is reserved for the
25 recorder's use.

26
27 Instruments satisfying, releasing, assigning, subordinating,
28 continuing, amending or extending an instrument previously
29 recorded in the county in which the recording is requested may
30 make reference to only one previously recorded instrument.

31
32 **Sec. 3. 33 MRSA §752, sub-§4,** as enacted by PL 1997, c. 503,
33 **§1,** is repealed.

34
35 **Sec. 4. Effective date.** This Act takes effect October 1, 2003,
36 except that the section of this Act that repeals the Maine
37 Revised Statutes, Title 33, section 752, subsection 4 takes
38 effect 90 days after adjournment of the First Regular Session of
39 the 120th Legislature.

42 SUMMARY

43
44 This bill sets uniform standards for registries of deeds
45 with regard to the size, type and format of documents submitted
46 to registries for recording. The bill also clarifies the
47 recording methods that may be used by registries. This bill also
48 repeals the sunset of the records preservation surcharge.