

# MAINE STATE LEGISLATURE

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**State and Local Government**

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**STATE OF MAINE  
SENATE  
122ND LEGISLATURE  
SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to S.P. 804, L.D. 2063, Bill, "An Act To Clarify  
10 the Use of Dedicated Funds for the Preservation of Deeds Records"

11 Amend the bill in section 1 in subsection 3 in the last 2 lines (page 1, lines 8 and 9 in  
12 L.D.) by striking out the following: "Any expenditures from the account must be  
13 authorized by the Register of Deeds."

14 Further amend the bill by striking out all of section 2 and inserting in its place the  
15 following:

16 'Sec. 2. 33 MRSA §752, sub-§6 is enacted to read:

17 6. Misappropriation of funds; penalty. Any county that uses funds from the  
18 records preservation surcharge account established in subsection 2 for any purpose that is  
19 not in accordance with the standards established in subsection 3 commits a civil violation  
20 for which a fine of \$100 per day from the date of the withdrawal to the date the money is  
21 restored to the account must be adjudged. Fines must be paid out of the county budget  
22 and be deposited in the account established in subsection 2.'

23

**SUMMARY**

24 This amendment removes the requirement that the Register of Deeds authorize any  
25 expenditures from the records preservation surcharge account. It also removes the  
26 retroactive application. This amendment provides that any county that uses funds for a  
27 purpose other than restoration, re-creation or preservation of deeds recorded in the office  
28 of the register of deeds has committed a civil violation that results in a fine of \$100 a day  
29 from the date the money was withdrawn to the date it is restored. Fines must be paid out  
30 of the county budget and placed in the records preservation surcharge account.

**FISCAL NOTE REQUIRED**  
**(See attached)**



# 122nd MAINE LEGISLATURE

LD 2063

LR 3214(02)

**An Act To Clarify the Use of Dedicated Funds for the Preservation of Deeds Records**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**  
**Committee: State and Local Government**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Establishes new civil violations

The collection of additional fines may increase General Fund revenue by minor amounts.