

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2063

S.P. 804

In Senate, March 14, 2006

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

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SCHNEIDER of Penobscot.

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

2 **Sec. 1. 33 MRSA §752, sub-§3**, as amended by PL 2003, c. 294, §1, is further
3 amended to read:

4 **3. Expenditures from account.** The money in the account established in subsection
5 2 must be used for the restoration, re-creation and preservation of the records recorded in
6 the office of the register of deeds, including preservation by creation of a digital image
7 stored on magnetic or optical media. The money may not be used for initial recording of
8 documents. Any expenditures from the account must be authorized by the Register of
9 Deeds.

10 **Sec. 2. Retroactivity.** This Act applies retroactively to January 1, 2006. Any
11 county that has used the revenue from the records preservation surcharge imposed under
12 the Maine Revised Statutes, Title 33, section 752 after December 31, 2005 for a purpose
13 other than restoration, re-creation or preservation shall return the revenue to the account
14 established in Title 33, section 752, subsection 2.

15

SUMMARY

16 This bill clarifies that the records preservation surcharge may not be used for initial
17 recording of documents. It requires any county that has used the dedicated surcharge for
18 a purpose other than restoration, re-creation or preservation to return the revenue to its
19 dedicated account. Any expenditures from the account must be authorized by the
20 Register of Deeds to ensure the use for its intended purpose.