

MAINE STATE LEGISLATURE

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5/17/19
ROES

Date: 5/17/19

(Filing No. H-291)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1007, L.D. 1393, Bill, "An Act To Change the Requirements for Recording Plans at the County Registries of Deeds"

Amend the bill in section 1 in §652 in subsection 1 in the last line (page 1, line 12 in L.D.) by striking out the following: "be submitted on white 20-pound paper" and inserting the following: 'the plan must be submitted on white paper with a minimum weight of 20 pounds'

Amend the bill in section 1 in §652 in the 3rd indented paragraph in the 4th line (page 1, line 25 in L.D.) by striking out the following: "permanently file the original and" and inserting the following: 'permanently file the original, create a digital image of the plan at a minimum of 300 dots per inch or 300 pixels per inch and'

Amend the bill in section 1 in §652 by striking out all of the last paragraph (page 1, lines 33 to 37 in L.D.) and inserting the following:

'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.'

SUMMARY

This amendment sets the 20-pound weight for paper as the minimum weight for recording plans at the county registries of deeds. The amendment requires that a digital image be at least 300 dots per inch or 300 pixels per inch. The amendment retains the last paragraph of the Maine Revised Statutes, Title 33, section 652 in current law, which regards standards for the reproduction of copies.

The fiscal note on the amendment identifies certain clerical changes in this bill as amended as a potential state mandate. In order to be a mandate pursuant to the Constitution of Maine, a provision must require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The

COMMITTEE AMENDMENT

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1 committee finds that certain changes in this legislation, such as the size of the register's
2 block and the minimum weight of paper, do not require a registry of deeds to expand or
3 modify its activities. The committee finds that these changes and others in this
4 legislation, such as the minimum size of plans, do not apply to the activities of a registry
5 of deeds but to members of the public. The committee finds that the changes to the
6 Maine Revised Statutes, Title 33, section 652, subsection 5 that remove microfiche and
7 microfilm as options for public copies while retaining the option of paper or digital copies
8 do not necessitate additional expenditures from local revenue. Microfiche and microfilm
9 copies require use of separate equipment and a physical storage space. Digital copies do
10 not require either of these and are, therefore, likely to result in savings for a registry of
11 deeds. The committee finds that the requirement that a registry of deeds microfilm each
12 plan for archival purposes conforms to current archival practice as established by the
13 State Archivist and is not a new requirement.

14 **FISCAL NOTE REQUIRED**

15 (See attached)



129th MAINE LEGISLATURE

LD 1393

LR 457(02)

An Act To Change the Requirements for Recording Plans at the County Registries of Deeds

Fiscal Note for Bill as Amended by Committee Amendment *A(H-291)*

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Potential State Mandate - Unfunded

State Mandates

Required Activity

Requires counties to make certain clerical changes to procedures for recording plans with a registry of deeds, including microfilming of each plan.

Unit Affected

County

Local Cost

Insignificant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.