

Date:

(Filing No. S- )

# STATE AND LOCAL GOVERNMENT

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## STATE OF MAINE

### SENATE

### 132ND LEGISLATURE

### FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 144, L.D. 358, “An Act to Increase Fees Paid to Registers of Deeds”

Amend the bill by inserting before section 1 the following:

**'Sec. 1. 33 MRSA §604, 3rd ¶**, as enacted by PL 1979, c. 710, §1, is amended to read:

Registers shall ~~photocopy each warranty or quitclaim deed~~ send an electronic or paper copy of transfers received and send the copy to the assessors of the appropriate municipality in the format requested by the assessors within 30 days of recordation. ~~They~~ Registers may charge a reasonable fee for ~~such service~~ a paper copy provided pursuant to this paragraph.

Amend the bill by striking out all of section 1 and inserting the following:

**'Sec. 1. 33 MRSA §751, sub-§1**, as amended by PL 2013, c. 370, §1, is further amended to read:

**1. Instruments generally.** Receiving, recording and indexing any instrument that may be recorded and for which a specific fee is not set forth in this section or in any other section, ~~the sum of \$19 for the first record page and \$2 for each additional record page or portion of an additional record page. In addition, if more than 4 names are to be indexed, a fee of \$1 must be paid for each additional name, counting all grantors and grantees; a flat fee charged as follows:~~

A. Twenty-five dollars per instrument recorded at the request of the State or a municipality; and

B. Thirty-five dollars per instrument recorded at the request of all other persons.'

Amend the bill by striking out all of section 5 and inserting the following:

**'Sec. 5. 33 MRSA §751, sub-§14-D**, as enacted by PL 2013, c. 370, §4, is amended to read:

**14-D. Downloads of 1,000 or more consecutive electronic images or electronic abstracts from a county registry of deeds.** Acquiring downloads of 1,000 or more

consecutive electronic images ~~or electronic abstracts~~ from a county registry of deeds that is equipped to and voluntarily agrees to provide downloads of 1,000 or more consecutive electronic images or electronic abstracts pursuant to a written agreement with the person requesting the downloads, 5¢ 25¢ per image or electronic abstract;

Amend the bill by striking out all of section 6 and inserting the following:

**'Sec. 6. 33 MRSA §751, sub-§14-E,** as enacted by PL 2013, c. 370, §5, is amended to read:

**14-E. Electronic images, or printed images ~~or electronic abstracts~~ from a county registry of deeds website.** Acquiring electronic images, or printed images ~~or electronic abstracts~~ from a county registry of deeds website as follows:

A. No charge for the first ~~500~~ 400 electronic images ~~or electronic abstracts, or a combination of the first 500 images and electronic abstracts,~~ acquired by a person in a calendar year; and

B. Fifty cents per electronic image or electronic abstract for each subsequent image ~~or electronic abstract~~ after ~~500~~ 400 electronic images acquired under paragraph A in the same calendar year, except that a municipality may not be charged a fee under this paragraph for acquisition of any number of electronic images from a county registry of deeds website; and

C. One dollar per printed image acquired, not including any applicable postage rates set by the county; and'

Amend the bill by striking out all of section 8 and inserting the following:

**'Sec. 8. 33 MRSA §753, sub-§1,** as enacted by PL 2013, c. 370, §6, is repealed.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment requires county registers of deeds to send an electronic or paper copy of transfers received to the assessors of the appropriate municipality in the format requested by the assessors within 30 days of recordation instead of requiring county registers of deeds to send a photocopy of each warranty or quitclaim deed received as provided under current law. The amendment also clarifies that county registers of deeds may charge a reasonable fee for a paper copy provided.

The amendment also establishes a flat fee for receiving, recording and indexing any instrument that may be recorded and for which a specific fee is not set forth in current law. These fees are \$25 per instrument recorded at the request of the State or a municipality and \$35 per instrument recorded at the request of all other persons.

The amendment removes the reference to electronic abstracts and changes from 5¢ to 25¢ per image the cost for acquiring downloads of 1,000 or more consecutive electronic images from a county registry of deeds that is equipped to and voluntarily agrees to provide downloads of 1,000 or more consecutive electronic images pursuant to a written agreement with the person requesting the downloads. The amendment also removes from the bill the prohibition that a person acquiring downloads of 1,000 or more consecutive electronic images from a county registry of deeds may not sell such images to another person.

1           The amendment also changes the number of electronic images or printed images a  
2 person can acquire in a calendar year for no charge from the first 100 electronic images or  
3 printed images, as in the bill, to the first 400 electronic images. The amendment provides  
4 that the charge of 50¢ per subsequent electronic image after 400 images acquired in the  
5 same calendar year does not apply to municipalities. The amendment also introduces a  
6 \$1.00 charge per printed image, not including any applicable postage rates set by the  
7 county.

8           The amendment removes from the bill the provision that makes the annual report  
9 optional from the registry of deeds for each county to the joint standing committee of the  
10 Legislature having jurisdiction over state and local government matters regarding  
11 surcharge funds.

12           The amendment also repeals the definition of "electronic abstract."