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

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

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

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

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

### **SUMMARY**

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