

Elizabeth Boepple
Fryeburg
LD 2240

Dear Chairs Carney and Moonen, and Committee Members,

I am an attorney licensed in the states of Maine, Vermont, and New Hampshire. With my 25 + years of experience doing commercial transactional work, I wish to provide a transactional attorney's perspective on a troubling section of LD 2240: section 9. While I applaud the efforts to try to address fraud, this section of LD 2240 would alter Title 33 section 203 to require a Maine notary to acknowledge an out of state signatory to any instrument affecting real property. An instrument affecting real property could be a deed but it could also be a conveyance or release of a right of way, a mortgage or release of a mortgage, a release of a lien, a quit claim deed, a conservation easement, etc., etc., etc. In short, there are many types of interests in real estate that this provision will affect. As a result, there are many transactional scenarios in real life that will be adversely impact, potentially creating a chilling effect on commercial transactions.

I urge the Committee to remove Section 9 of LD 2240 or amend the wording to avoid the consequences that I am sure the sponsors did not intend to result from its current draft.

Thank you,
Elizabeth Boepple, Esq.
Murray Plumb & Murray
Portland Maine