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LD: 2121: An Act to Enhance the Safety of Judicial and Elected Officials, Constitutional Officers and the State Auditor by Allowing Certain Personal Information to Be Removed from Designated Public Records

Senator Carney, Representative Kuhn, and the distinguished members of the Joint Standing Committee on the Judiciary,

My name is Susan Bulay. I am the Register of Deeds for Penobscot County and am speaking today on behalf of the several members of the Maine Registers of Deeds Association.

I think everyone is sympathetic to the safety concerns of government officials that this bill seeks to protect. At the Registry of Deeds, the problem is the way our system of real property records works.

In almost every other state in the country property record search systems are parcel number based. This means if you wish to see the deed to a particular piece of property you determine the parcel number for the property which is similar but not the same as the municipal tax map and lot number. You can then access the number and see the owner, mortgages, tax liens, whatever pertains to that address. If there is a name you wish to hide, that is doable. If someone is searching for the parcel number, they could see a notation that the name was withheld and contact the office directly to get the information.

In Maine, real property records in the Registry of Deeds are Name Based Only. To find out what is outstanding against the property, you must search for the name of the owner of the property. Without the name our records are useless.

Also, we are an office of public information. If we start hiding one name, where is the credibility that we aren't hiding something else. Our records are permanent going back hundreds of years. What happens with the redacted information if there is no revocation filed? Will it go hidden forever? Is there somewhere a database of all documents that contain redacted information? The Registry of Deeds records hundreds of thousands of documents per year across the state and this could add many hours to our work burden without compensation.

For these very real logistical reasons, we urge the committee to vote Ought Not to Pass on LD 2121. If the committee is serious in considering this legislation, I would gently

suggest that first you change our recording system to parcel based numbering system, which would not be easy.