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JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

Testimony of Shenna Bellows, Secretary of State
Department of the Secretary of State

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Testifying Neither for Nor Against

L.D. 2240 “An Act to Implement Protections Against Deed Fraud”

Senator Carney, Representative Moonen and Members of the Joint Standing Committee on Judiciary, my name is Shenna Bellows and I am the Secretary of State. I am speaking today neither for nor against L.D. 2240.

I would like to thank the sponsor, Senator Ingwersen, for consulting with our Division of Corporations regarding section 9 of the bill.

Section 9 requires a title to real property to be acknowledged by a person authorized to perform notaries pursuant to the section 1910 of the Revised Uniform Law on Notarial Acts (RULONA). Under section 1910 a notarial act performed in Maine can only be done by either a notary public of Maine, A justice, judge, clerk or deputy clerk of a court of Maine, an attorney licensed to practice in Maine, or an individual authorized to perform the specific act by the laws of Maine.

This requirement would address the issue the concern of fraudulent deed transfers – with out-of-state actors selling land they do not own – happening where all of the actors are out-of-state and law enforcement is having difficulties in tracking down the legitimate identities of parties to these fraudulent transactions.

This concludes my testimony. Thank you and I would be happy to answer any questions that the committee may have.