



Richard A. Bennett
Senator, District 18

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

**Joint Standing Committee on State and Local Government on
LD 358, An Act to Increase Fees Paid to Registers of Deeds
February 24, 2025**

Senator Baldacci, Representative Salisbury, and esteemed members of the Joint Standing Committee on State and Local Government: I am Senator Rick Bennett of Oxford, and I have the honor of serving 14 communities in Western Maine in the State Senate. I am pleased to cosponsor both LD 358, "An Act to Increase Fees Paid to Registers of Deeds."

Last year, at the invitation of the Oxford County Register of Deeds, I met with the association of Registers across the state. They requested I sponsor this bill to increase the fees paid to the office. As you probably know, the Register of Deeds is responsible for recording and maintaining public records related to real estate transactions. In Maine, each county has at least one registry of deeds office. My constituent and the association made this request because their offices around the state are incurring rising costs for their work and the current fee structure isn't covering those costs nor is it even beginning to cover the work mandated that they do under statute.

The current fee structure, updated in 2011, is very confusing. It requires payment of \$19.00 for the first page of a document and \$2.00 for each additional page. On top of that, it requires \$1.00 for each name on the document over 4 names and a marginal reference fee of \$13.00 for each reference over 1 reference. There are also additional fees if there is not enough of a margin at the top for recording information. So, instead of a complicated structure, they proposed transitioning to a flat \$45 fee for all documents, regardless of the number of pages.

While evaluating the revenues, the Register of Deeds Association reviewed data from other New England states and learned that Maine's current fees are significantly lower than our neighbors'. And the increase proposed would still keep us in the lower end compared to the rest of New England.

The original legislative intent of this statute was for the public to have easier access to their own documents. However, the current structure is so complicated that it often results in rejection of the submission due to incorrect payment. This causes frustration, delay, additional mailing costs, and increased work for the register of deeds offices. The Maine Registry of Deeds Association is confident that a flat fee structure would eliminate the majority of rejections that are due to incorrect payment amounts.

On top of the recording fees, the Register of Deeds charge a preservation fee. This \$3 preservation fee was established in 1997 and has never been increased despite the costs of preservation increasing significantly. This bill proposes to raise that preservation fee from \$3 to \$5. Even with this additional increase, Maine's fees will be lower than Connecticut, Massachusetts, Rhode Island, and Vermont.

I would like to offer a small amendment (attached) to offset any stress this might cause municipalities.

Thank you for your time today. I know there are others here today who know far more about this matter than I do, but I would be happy to try and answer any questions you may have. I urge you to vote "ought to pass as amended" on LD 358.

Sponsor: Senator Bennett
Drafted by: KKB
Date: 2/21/2025
New Title?: NO
Add Emergency?: NO

LD 358
Sponsor's proposed amendment

Amend the bill by inserting before Section 1 the following new section:

Sec. X. 33 MRSA, §604, third paragraph is amended to read:

Registers shall ~~photocopy each warranty or quitclaim deed~~ provide 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 paper copies provided pursuant to this paragraph.~~

Amend the bill by renumbering each section of the bill thereafter to reflect the addition of the new section.

SUMMARY

This amendment adds a new section to the bill amending Title 33, section 604, third paragraph to require county registers of deeds to provide 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 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 paper copies provided pursuant to this paragraph.

This amendment also renumbers each section of the bill to reflect the addition of a new section at the beginning.