

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010
COMMITTEE STATEMENT
LB686

Hearing Date: Friday January 22, 2010
Committee On: Government, Military and Veterans Affairs
Introducer: Wightman
One Liner: Change fees received by clerks and registers of deeds

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	5	Senators Avery, Karpisek, Krist, Price, Sullivan
Nay:	1	Senator Giese
Absent:	2	Senators Janssen, Pahls
Present Not Voting:		

Proponents:
Senator John Wightman
Jean Bauer

Sandra Stelling

Larry Dix

Opponents:
Walt Radcliffe

Neutral:
Bob Hallstrom
Judy Jobman

Representing:
Introducer
Scotts Bluff County - Clerks/Registers of Deeds/Election Commissioners
Clerks/Register of Deeds/Election Commissioners Association
Nebraska Association of County Officials

Representing:
Nebraska Realtors Association

Representing:
Nebraska Bankers Association
Secretary of State's office

Summary of purpose and/or changes:
LB 686 changes fees received by clerks and registers of deeds.

The current fee for recording a deed, mortgage, will, decree in a testate estate, or any other instrument with the register of deeds, is five dollars per page. Under LB 688, the fee will be increased to ten dollars for the first page and six dollars for each additional page. Section 33-112, which provides the clerk or register of deeds to receive a fee for entering instruments in the numerical record, is outright repealed.

Additionally, the fees for filing and indexing a notice of lien under the Uniform Federal Lien Registration Act and the Uniform State Tax Lien Registration and Enforcement Act are raised to two times the fee required for recording documents with the register of deeds. The fees in these two acts are split between the Secretary of State and the designated county in the filing.

The act becomes operative on January 1, 2011.

Explanation of amendments:

The committee amendment provides that two dollars and fifty cents of the ten-dollar fee for recording the first page and fifty cents of the six-dollar fee for recording each additional page will be used exclusively for preserving and maintaining public records in the register of deed's office. The fees will also be used for modernization and technology needs of these records.

The amendment also provides that these funds will not be substituted for other allocations of county general funds to the register of deeds.

Bill Avery, Chairperson