

The Recorder

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December 2003

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From The President

We will remember 2003 as the year of filing enormous amounts of real estate documents. We wonder if the workload will lighten up and hope that our core functions in the office hold up to the onslaught of documents. The days go by in a blur without ever feeling the sense of accomplishment. We trust that our staff will not quit from the overload, for the dread of retraining is a nightmare. We cringe at the thought of computer and software problems and beg for no down times.

Recorder offices have been and will continue to be in a mode of change that will not end soon. The vast volume of documents we have processed the past few years has given us the opportunity to look at the way we operate our offices and where the need for change is. There will be more required of our staff and our customers will demand new services from us. We will also be looking at a new way of doing business with electronic recording.

Even we have been tremendously busy, we have accomplished great deal in 2003! Just the realization that our offices will not be running the same as in the past, provides the opportunity to learn new techniques in the recording process. Our association has offered our members more training and education this past year by changing the summer conference to a workshop format. The MCRA committees have held seminars in Torrens, Abstract, and the New Recorders' conference. Our district meetings have become a valuable tool in networking with other counties and provide us the opportunity to work towards uniformity. The 2004 MACO Winter Conference will introduce us to a new and exciting education program with Century College. We are learning that change is part of our job and with that knowledge our offices will remain consistent and reliable.

It has been an honor and a pleasure to serve as your president!

Happy Holidays!

**Kay Wrucke,
Martin County Recorder**



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VITAL STATISTICS

Cheryl Perish, Todd County

The Minnesota Department of Health (MDH) informs us that the Fall Vital Record's Training Sessions were well attended. Hopefully we all absorbed needed information to accomplish Amendments. So there isn't much to report in reference to VRV.

The MACO Vital's Committee has decided that Marriages need attention. Our discussions have included creating a committee/group to head the clean up of outdated marriage statutes. This group would consist of representatives of Court Administrators, County Attorneys, Judges, Local Registrars and any other office that might be of assistance in handling marriage issues. We envision that this group would go to the legislature, possibly the next session, and change the word "Court Administrator" in the marriage statute to "Local Registrar." Since, I believe, there currently is only one Court Administrator that handles vitals, it was expressed that the title "Local Registrar" would be more appropriate. This group could also act as a contact for County Attorneys when marriage issues arise. Additionally, the group could also be responsible for creating forms to be used by the Local Registrars when new statutes are created and forms are required.

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need attention"*

Other issues discussed were why we would give away a free certified copy of the marriage certificate when we do not give a free birth or free death certificate away. Current statute states that within 5 days of the receipt of the marriage certificate we will issue the couple a certified copy of the marriage certificate. It does not appear anywhere in statute that the certified copy should be free. So this could be researched to see if it was just a policy that was adopted by the Court Administrators. Should/could we collect the \$8.00 fee along with the Marriage License fee. Also, the current "names after marriage" is a very loose statute— it needs to be tightened up to restrict what names can be used after marriage; such as the bride or grooms surname, or a hyphenated bride-groom name. These will be the only options.

Along with this is the "Felony Name Change." This needs to be tightened up. Current statute states the felon cannot change their surname but allows the changing of the first and middle names. The intent was not loose the individual in the system. How could anyone keep track of felon "Cheryl Rach" when after marriage her name becomes "Mary Rach" - the surname wasn't changed?

Fees are another issue we thought needs attention. The counties are losing money issuing marriage license and certificates. Ordinations are filed once in the state and the individual can perform marriages forever. Some counties are charging \$5.00 to file the Ordinations, while some aren't charging anything. We felt that a possible fee of \$50.00 should be collected, rather than the \$5.00.

We discussed the abuse of the Reduced Marriage Fee as well. Many applicants acknowledge that they haven't received the required hours of training but have a signed Educator's Statement. A lot of abuse seems to appear within this statute.

So, I think the start of "Marriage Statute" discussions is a plus for all of us. If you have additional items that you feel strongly about, please contact one of the Recorder's Vital Statistics Committee members. We are in the beginning stages, so anything is possible.

UCC Committee, Mary Ann DeGroot, Pipestone County

Working with UCCs has been rewarding as well as challenging these past months. Most of the scanning issues have been resolved with just a couple of counties having difficulties getting their last few images scanned, but I am not alarmed as the OSS still has some to do as well. In the not to distant future, we may be getting information on a retention schedule for the growing piles of scanned images we are stockpiling in our offices.

The Office of the Secretary of State rolled out Phase I of online filings in June with only UCC-1s being done at that time. They recently began online testing with eight businesses for the filing of UCC-3s. In these times of budget shortages, I find it challenging in setting next year's budget and not knowing how online filings will affect our local offices. As a rural county, I know that our UCC filings are down this past year and this makes for some creative budgeting to offset this loss of income. We should all help promote the filings at a local level to insure prompt customer service as well as the retention of fees locally.

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Along with the technology changes that PROfile has brought to our offices also comes the issues of fraudulent filings. At a recent work group meeting Bonita Harvieux spoke about the forming of a task force on the national and state level to look into this problem. She also discussed that some states reject the filings and others have legislation in place that address this issue.

Next Year may be bringing proposed legislative changes for CNS and the committee will update you at that time.



CNS Update, Kay Wrucke, Martin County

The Business Law Section of the MN State Bar Association has reorganized the Agricultural Lien Task Force to address the CNS system and its connection with the Revision of Article 9. Topics under discussion are the fees, social security number, place of filing, and the searching criteria.

The final draft will be ready for introduction for legislation in 2004. There will be a complete update on the changes in CNS at the winter MACO conference.

District 8

Eldrene Ebert, Sibley County

District Eight recorders met the first week in August. Another meeting is planned for mid November. We like to meet in different locations within the district - sometimes in homes of the recorders. The agenda covering topics such as legislation, discharges, medical assistance liens, etc. is sent out prior to the meeting. We wind up the meeting with a round table discussion giving everyone a chance to express their concerns and raise questions. Since we have several new recorders this is a good approach to many new subjects.

District 8 Recorders Wish everyone a Safe and Happy Holiday Season!

Abstractor's Meeting, Marion Halvorson

We held a workshop on Oct. 21st, at St. Cloud Civic Center-about 20 county abstractors attended. Our main speaker was Steve Tierney, an attorney from Chicago Title. He gave an overview of looking at an Abstract from an Attorney's point of view; questions and answer time was given. The group discussed various abstracting areas and exchanged information on abstracting.

We also, discussed proposing an increase in abstracting fees for the coming legislation session. These would be maximum fees and each county would have the choice of increasing their fees or not and to what extent. The group felt the current abstractors fees set in Minnesota Statutes are too low and have been that way for some time. The plan is to have annual Abstractor's workshop.

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“Upcoming Events”

MACO Conference	January 13-16, 2004 - Minneapolis Marriott Hotel
MRESA Meeting	January 7, Commonwealth Land Title, Bloomington
Property Records Industry Association	February 25-26, 2004 - Washington D.C. Convention Center
National Association of County Recorders,	February 27-March 2, 2003 - Washington D.C.

Maco Report, Luci Botzek

I know you are all suffering from the impact of an 'active' real estate market and perhaps related budget cuts in your counties that make it difficult for you to have the resources you need to record the documents flowing through your doors. What can you do in response to this situation? Make sure your Boards understand what you are trying to do and what you could do with additional resources to meet the needs of expectations of your communities and citizens.

Communicate with the local real estate community - let them know you are doing all you can under the circumstances and perhaps ask for their input on procedures. This may also be the time to review how you process documents and see if there might be a better way to move that paper through the county offices.

Finally, don't forget other recorders are in the same position and sometimes just a quick call and discussion of what you are both doing might, besides providing moral support, lead to an idea of how to make changes that will work better for all.

Good Luck and thank you for our commitment to the jobs you are performing for your communities.

MACO CONFERENCE

By the time you read this, you will have received registration materials for the 2004 Winter Conference. We are at a new location this year - Minneapolis, Marriott SW. It is bright and conveniently laid out and even has some undercover parking spots! This will be an excellent opportunity to get updates from state agencies and communicate with your colleagues. I look forward to seeing you in January.

2004 LEGISLATION SESSION

Your Legislative Committee is busy developing the proposal for a fee increase for recording documents. Preliminary indications are that a flat fee is being welcomed by your customer groups. An increase in revenue should be welcomed by you and your commissioners as well.

You will be receiving periodic updates of the progress of this effort and if you have questions, please contact your legislative chairs, Jeff Aitken or Larry Dalien.

Happy Holidays to you and yours !!!



Legislation, Jeff Aitkin, Wabasha County

At the 2003 summer conference and workshop for the Minnesota County Recorders' Association, the Association agreed that a committee should be formed to review Minnesota recording fees.

A committee was formed and has met about four times in addition to lots of emails. What they have come up with is a proposed flat fee in both Abstract and Torrens. They also have addressed

other fees in the recording of instruments in our offices. The committee is proud of this proposal. The Committee has met with Senator Rosen and she has agreed to author the fee bill. The committee has some rough draft language and will be presenting it to the legislative committee for their review. Once that is done it will be forwarded to the Senator and the Revisers office.

Some other things we will

be watching are marriage law changes, CIC changes, Septics, Torrens changes and a very close eye on some certified survey map legislation.

It seems like it will be another interesting year for us in the recording industry. So hold on we are in for a ride and who knows where it will stop. So stay turned and we will have more at the winter conference. See ya then....

**MINNESOTA COUNTY
RECORDERS' ASSOCIATION**

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Mark A. Monacelli Wins National Award!

St. Louis County Recorder, Mark A. Monacelli was named Public Official of the Year by the National Association of County Recorders, Election Officials and Clerks (NACRC.)

Mark was chosen from approximately 10,000 public officials who are eligible for this award. This prestigious award is presented annually to an official who exemplifies leadership, dedication and excellence in public service.

Mark currently serves as President and Chairman of the Board of the Property Records Industry Association (PRIA); 1st Vice-President and Land Record's Chair for NACRC.

Mark was recently re-elected to serve another two year term as PRIA President and will assume the duties of NACRC President in July 2004.

