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WISCONSIN STATE REPRESENTATIVE

41ST ASSEMBLY DISTRICT

AB 81: Modifying and repealing rules promulgated by DFI and DOR relating to documents filed with county registers of deeds.

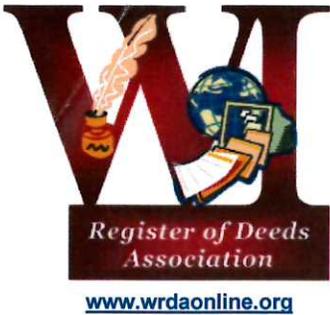
Testimony of State Representative Joan Ballweg
Assembly Committee on State Affairs and Government Operations
March 10, 2015

Thank you, Chair Swearingen and members of the State Affairs and Government Operations Committee for hearing Assembly Bill 81. This legislation was requested by the Wisconsin Register of Deeds Association. AB 81 is part of the WRDA's legislative platform, and compliments the legislation you will hear about next authored by Rep. Born. Sarah Guenther, Green Lake County Register of Deeds, is here today and will also be addressing the committee.

AB 81 makes minor changes to administrative code, helping our register of deeds offices eliminate confusion and operate under more consistent rules – in the spirit of our Red Tape Review. I'll let Ms. Guenther and her colleagues provide expert comments about the details of the proposal that makes minor changes to DFI and Tax administrative code.

I'd like to thank Ms. Guenther, my home county Register of Deeds and the leadership of WRDA for bringing this to my attention, I am happy to facilitate these common sense changes.

Thank you for your time.



The Wisconsin Register of Deeds Association (WRDA) would appreciate your support of 2015 Assembly Bill 81 and Assembly Bill 82.

Both bills are cleanup legislation relating to the Register of Deeds functions. The items included in these bills are noncontroversial and are to update the statutes and administrative code with the new technologies available for our offices and to rectify conflicting statutes.

AB-82 clarifies the ability to:

- Blue ink, new technology allows blue ink to be scanned better
With technology we can now scan blue ink; often citizens present documents in blue ink.
- Fed Tax Lien – IRS changed their payments to EFT
The IRS no longer sends paper checks, payments are made by electronic fund transfer.
- Recording space 3 X 3 – to clarify conflicting statutes
We believe this was missed in a previous update of statute.
- HT110 & TOD110 no longer send to Clerk of Courts
The COC has expressed they no longer require these documents.
- HT110 & TOD110 recording fee to be same as other recorded documents
We believe this was missed in a previous update of statute.
- Updates to allow for electronic recording and storage of plats
This is to update to allow for electronic storage of documents.
- Change references from file to file or record to allow for electronic recordings
With technology many documents are no longer in paper form, by added record this will reflect recording and give the register the ability to file or record.
- Eliminate 59.43(2m)(d)(2) – we no longer rerecord, a new cover page and signature is required
If a document needs to be recorded again a correction instrument or affidavit of correction is used, and submitter must add a cover sheet.
- Allow for use of a document number and if given volume and page
Electronic documents may not have vol and page, by adding “document number” it will allow all indexes to be identified by using a document number.

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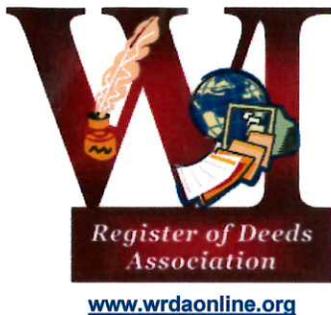
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AB-81, update administrative codes to:

- Update UCC directives to match new DFI form
DFI updated forms, check item 6 no longer references that document should be filed in the real estate records.
- To clarify the Transfer Tax Fee is paid when recording land contracts
This was missed on a previous update, and by removing the sentence “however, no fee is imposed at time of such recording”. According to Budget bill 991, Wis Act 269 a transfer fee is imposed at the time of recording a land contract.

Both of these Administrative code updates are part of the Red Tape clean-up the legislature is currently working on.

Please feel free to contact me or any WRDA board member if you have any questions. The Wisconsin Register of Deeds Association appreciates your support for both of these bills.

Sarah Guenther

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