

Honorable Senator Ralph Ostmeyer  
Federal and State Affairs Committee  
February 9, 2015  
RE: SB98 - Opposition

Thank you for the opportunity share a little with you.

I was present last year when testimony was given and I am aware of one of the initial complaints concerning a school district. I think the lack of communication was unfortunate for all. It would be nearly impossible for me, or for you, to know and understand all the different procedures, mediums available and equipment used to produce all the hundreds of different kinds of documents that the public requests from the hundreds of different government entities. Therefore, the attempt to make one size fits all approach for the whole State can be an unintended chaos and an expensive unfunded mandate to many of the Government entities.

I am the Saline County Register of Deeds where real estate documents are recorded for public notice. Our records are kept forever so many of them are over 100 years old and one of my primary responsibilities next to recording, is to preserve everything to make sure they are still around another 100 years. Saline County Register of Deeds is a mid-size department without the extreme demand from the oil and gas industry that many of my peers have.

I am guessing that unless you like to buy property at a sheriff's sale, or you can't get your lien released, or you are having a fight with your neighbor or you are doing genealogy research, you probably have not needed to come into our office.

Why?

Because professional people across the whole United States, (not just your home town) coordinate the sale of property, loan the money and resell it many times, research the title and liens, provide title insurance, survey, offer you a lease for oil or gas if you are lucky, help you with your real estate planning, etc. based on the records they have found in our office. Most of the copies we make are for these professionals and they pay a minimal fee anywhere from a quarter to a dollar and many combinations in-between. Our fee is \$1 for the first page and .25 for each additional page per document. This helps cover some of our costs for paper, toner and copier costs. Can you see where it would be tempting to get more than you really need if it were free up to 25 pages?

Our office is not where a person generally calls and knows exactly what they are needing or what book and page they need or even what their legal description is. Although we do not interpret a document's meaning or do legal searches like an abstractor would do, we still need to find the information to get them what they are looking for.

Rarely does the homeowner come in and get copies and if they do, we generally do not charge for a copy of the deed to their home. I know in Saline County, the same is true with the documents a homeowner can acquire from the appraisers office. I do not understand the thinking that all our copies should be basically free to the whole United States. This is how this

bill is written as far as our office goes and several others in our County. We are not trying to profit but we simply do not have the staff to provide free copies all day which is what could happen if we had to provide the whole real estate industry up to 25 pages. It is very time consuming to find what a customer needs and we are happy to assist but you just don't, and can't possibly realize what is involved unless you really go and listen to ALL of the departments and entities that this bill affects.

For example; none of our mortgages from 1863 to 1973 are digital. Many of those mortgage books are very large and weigh 20-30 pounds. If a copy is needed from those old books, they are done one page at a time often with several attempts to capture the oversized page. It's the same thing with our numerical index books and many other books that people search in. Many searches have to go back to the original Patent from the Government at some point, especially in the oil and gas industry.

We started with computers in 1995 so all of those instruments are scanned and we are continuously adding images and data to the older documents as we have time. People do not complain about what we charge for a copy. Some businesses may accumulate over 25 pages at a time but this is not the daily norm.

The "hourly" language in SB98 does not even touch the reality of what we do and the number of people we already assist every day just in phone conversations. Right now, while it is slower, my office provides an average of 40 copies per day with the average document being 1-2 pages long. This does not include all the copies for our 3 local abstractors. They are set up differently.

We are happy to assist the public to find what they are looking for and we do not charge them for our time, but there needs to be a balance and accountability of costs associated with what we do. Our office is going to provide a copy in a completely different manner than another County based on resources. These decisions should be left up to the local government to determine what is reasonable.

The State of Kansas charges \$15 for a certified copy of a vital record. I do not believe the process is that much different than a copy I provide daily other than, take an extra moment to put on their certification on pretty paper. They already know what the person needs. If we certify anything, it is minimal time compared to the extraction of the intent and the document.

Thank you for your consideration.

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