

House Government and Veterans Affairs
Date 02/06/2025
Nancy Seefeldt – Morton County Recorder

RE: HB 1306 Relating to fees assessed for open
records requests

Chairman Schauer and Committee:

My name is Nancy Seefeldt, and I am the Recorder in Morton County. I am providing testimony as I am opposed to HB 1306 and will explain how this will potentially affect my office.

First of all, I will start by explaining our office duties. As Recorders we are to record documents that meet our recording requirements per NDCC. Then we are responsible for the upkeep of those records so that they are available for searching. We like to compare ourselves to a librarian, we accept the records and make sure they are available for searching by the public. We do not do title searches as we are not trained to do so and we aren't trained to decipher the legality/verbiage in a document. That would be the duty of an abstractor/landman. If somebody would like a copy of a document we can print or email them a copy for a fee.

On Page 2, line F of HB 1306 our current search fees are stated. Currently we will do a record search for free if the records take less than one hour to find. If the search takes more than an hour we can charge a \$25 fee per hour, excluding the first hour. I have worked in Morton County for just short of 20 years and I have only charged this fee one time. This is because our records are easily accessed.

This bill has an amendment that we shall furnish one request per requester per year for free as long as it takes 40 hours or less and they are a citizen of ND. I have multiple Concerns with this amendment.

It is stated that an entity shall furnish one request per requester per year free of charge for locating records and excising confidential or closed material from the records.

How do we keep track of these requests? Is this one request per county or per office per county? We could have one business have 10 different employees request a search. Totaling 400 hours.

A lot of our offices consist of 2-3 employees. When you look at how many constituents and businesses we serve, this could get more than overwhelming and impossible for our offices. Some of the businesses we work with have many employees and each of them could request this of us each year. My office already has busy days as land records are not the only duty we have, we also take Passport Applications, Marriage Licenses and file Burial Permits. I also officiate marriages in the court house. If this bill passes there is the possibility that recorder's offices would have to hire extra staff in order to keep up with the work load this bill would allow.

50 of the 53 counties in ND have a website called NDRIN, this provides easy and very affordable options for record searches to be done from an office or home. It costs \$30 for a month to access info for 50 counties records and \$7 for a 24 hour period to access 50 counties records. The remaining 3 ND Counties have similar tools available also.

If HB1306 is passed I believe this would just be an excuse for people to pass their work onto us to free up their time. As we all know there are 52 weeks in a year and each free request could be up to 40 hours. My county would definitely get enough requests to take up one of our employees work load for the entire year. Therefore, shorting our office an employee for an entire year. If we have an employee sick, injured or on leave that would put even more strain on our office.

Thank you for your time and consideration.

I would appreciate a DO NOT PASS recommendation on HB 1306.