

House Political Subdivisions Committee  
Date: 03/20/2025  
Melissa Vachal – Mountrail County Recorder

RE: SB 2259 Relating to the provision of blanks  
and records

Chairman Longmuir and Committee Members:

My name is Melissa Vachal, I am the Recorder in Mountrail County. I am providing testimony asking for support of SB 2259.

I have included the verbiage of the current NDCC we are wanting to be repealed.

**44-04-16. Officer to provide blanks and records for office. Each county, city, township, or school district officer shall provide, at the expense of the county, city, township, or school district, as the case may be, such blanks and records as are necessary for making proper records and for transacting any official business connected with the office.**

As it currently stands NDCC 44-04-16 could bring liability not only to the Recorders Office but also to all the political subdivisions that is being required to provide forms. In Mountrail County Recorder's office, we deal with not only surface documents but also very large mineral documents. We right now in our system have over 150 plus document types. In my 18 years of being the Mountrail County Recorder, it has always been known that we can NOT give legal advice on what anyone would need to record. Each family has a different legal story that would need to be addressed and as Recorders we are only to accept a document that meets recording requirements per NDCC. Needing to be the one to determine what type of document someone would need really could become an issue.

When it comes to the legalities of providing forms for legal recording documents, particularly in the context of public records, its important to understand the legal framework that governs how these forms are created, provided and used. The process varies depending on the type of document. North Dakota Recorders DO NOT have a legal background and should not be required to be giving legal advice.

Thank you for your time and consideration on this bill, I would appreciate a DO PASS Recommendation on SB 2259.

Thank you for your time and I appreciate your consideration of this bill and I am available if you have any questions.

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