

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 381

S. P. 116

In Senate, January 28, 1975

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Curtis of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT to Provide for Renewal of Notary Public and
Justice of the Peace Commissions.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, at the present time there is no provision under Maine law for the renewal of notary public or justice of the peace commissions; and

Whereas, the following legislation is vitally necessary to provide a method of renewing such appointments as authorized by Constitutional Resolution, chapter 4 of 1973; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 5 MRSA, § 6, 2nd ¶ enacted to read:

All persons renewing a commission as a notary public or justice of the peace must requalify within 30 days after issuance of said renewal in the manner prescribed by the Secretary of State.

Sec. 2. 5 MRSA, § 86, as last amended by PL 1973, c. 730 § 1, is further amended by adding at the beginning a new first ¶ to read:

The Secretary of State shall have authority to renew commissions of notaries public or justices of the peace and to promulgate rules and regulations relating to their issuance.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

At present there is no provision under Maine law for the renewal of notary public or justice of the peace commissions. Article V, Part First, Section 8 was amended by Constitutional Resolution, chapter 4 to provide that the appointment of Notaries Public or Justices of the Peace by Governor and Council be for an initial term only. The purpose of this Act is to provide a method of renewal of these appointments.