

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 241, L.D. 353, Bill, "An Act to Amend the Laws Relating to Notaries Public"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, this legislation is immediately necessary to enable notaries public to perform marriage ceremonies for members of their families; and

Whereas, if this legislation is not enacted immediately, weddings which have been planned for long periods of time will need to be postponed causing financial and personal difficulties for the people of Maine; 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:

4 MRSA §954-A, as enacted by PL 1987, c. 573, §1, is amended to read:

§954-A. Conflict of interest if notary related

A notary public shall not perform any notarial act for any person if that person is the notary public's spouse, parent, sibling, child, spouse's parent or child's spouse, except that a notary public may solemnize the marriage of the notary public's parent, sibling, child or spouse's parent if the ceremony is

1 ~~witnessed and the marriage certificate signed by another notary~~
2 ~~public unrelated by marriage or blood to the parties. This~~
3 section does not affect or apply to notarial acts performed
4 before the effective date of this section.

5
6 **Emergency clause.** In view of the emergency cited in the
7 preamble, this Act shall take effect when approved.
8

9
10
11 **STATEMENT OF FACT**

12
13 This amendment makes the bill an emergency measure effective
14 on approval. In addition, the bill requires that a 2nd notary
15 public unrelated to the parties witness and sign the marriage
16 certificate in wedding ceremonies solemnized by a relative of one
17 of the parties.

Reported by the Committee on Legal Affairs
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