

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1032, L.D. 1505, Bill, "An Act to Update Certain Laws Regarding Corporations, Lobbyists and Notaries"

Amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 4 MRSA §951, as amended by PL 1989, c. 600, Pt. A, §1, is further amended to read:

§951. Seal; authority to administer oaths

A notary public may keep a seal of office, whereen--is engraven engraved with the notary public's name exactly as it appears on the notary public's commission, and the words "Notary Public" and "Maine" or its abbreviation "Me.," with the arms of state or such other device as the notary public chooses. When a notary public who has obtained a seal of office resigns, or the notary public's commission is revoked or expires, the notary public or heirs shall destroy the official seal or send it to the Secretary of State for destruction. When authorized by the laws of this State or of any other state or country to do any official act, the notary public may administer any oath necessary to the completion or validity thereof of the act.'

Further amend the bill in section 8 in that part designated "~~§82-A.~~" by striking out all of subsection 1 (page 2, lines 30 to 36 in L.D.) and inserting in its place the following:

'1. Informational publications. The Secretary of State shall make available such informational publications as may be necessary to ensure that notaries public are knowledgeable in the performance of their duties. One copy of these publications must be made available with each appointment or renewal of a notary public commission. The printing and distribution costs of the first copy of publications sent to commissioned notaries public must be paid from the fees paid by the notaries public pursuant to section 87. The Secretary of State may establish by rule in

2 accordance with the Maine Administrative Procedure Act the
3 procedures for the sale of these publications and a fee schedule
4 to cover the cost of printing and distribution for:

5 A. Additional copies of publications requested by
6 commissioned notaries public; and

7 B. Copies of publications requested by noncommissioned
8 individuals, corporations, agencies or other entities.'

9 Further amend the bill in section 20 in paragraph D in the
10 3rd line by inserting after the following: "directors" the
11 following: 'or, if no directors, shareholders'

12 Further amend the bill at the end before the statement of
13 fact by inserting the following:

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18 **FISCAL NOTE**

19 This bill makes various changes to laws dealing with the
20 Secretary of State and authorizes the Department of the Secretary
21 of State to charge a fee for various services, including an
22 expedited service for the processing of documents and for costs
23 related to publications. There will be a minor increase in
24 dedicated revenue to the department from the collection of these
25 fees.

26 The costs associated with rulemaking will be absorbed within
27 the budgeted resources of the Department of the Secretary of
28 State.'

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32 **STATEMENT OF FACT**

33 The bill requires all notaries public to obtain a seal.
34 This amendment permits notaries public to obtain a seal
35 voluntarily and requires that those who do obtain a seal or their
36 heirs destroy the seal if their commissions are resigned, revoked
37 or expire. It requires that the Secretary of State make
38 informational publications available to all notaries public at
39 the time of appointment or recommission. The publications may be
40 sold when commissioned notaries public request more than one copy
41 or when noncommissioned individuals or groups request copies of
42 the publications.

43 The amendment provides that the names of shareholders of a
44 corporation be included in the corporation's annual report to the
45 Secretary of State if there are no corporate directors. The
46 amendment also adds a fiscal note to the bill.