

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

R of S

L.D. 807

DATE: 2/3/94

(Filing No. H-720 )

STATE & LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 592, L.D. 807, Bill, "An Act Regarding Records of Notaries Public"

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

'Sec. 1. 4 MRSA §955-B, as amended by PL 1991, c. 465, §4, is further amended to read:

§955-B. Maintenance of records

~~Every~~ The Secretary of State shall recommend that every notary public shall keep and maintain records of all notarial acts performed. The notary shall safeguard and retain exclusive custody of these records. The notary may not surrender the records to another notary or to an employer. The records may be inspected in the notary's presence by any individual whose identity is personally known to the notary or is proven on the basis of satisfactory evidence and who specifies the notarial act to be examined.

**COMMITTEE AMENDMENT**

2 Sec. 2. 4 MRSA §956 is amended to read:

4 §956. Resignation or removal; deposit of records

6 On The Secretary of State shall recommend that, on the  
8 resignation or removal from office of any notary public, his the  
10 notary's records shall be deposited--with--the--clerk--of--the  
12 judicial--courts--in--the--county--for--which--he--was--appointed  
14 transferred to the custody of the State Archivist. Any--notary  
public--who--shall--for--a--period--of--3--months--neglect--to--comply  
with--such--requirement--and--any--administrator--or--executer  
representing--a--deceased--notary--public--who--shall--for--a--period--of  
3--months--neglect--to--comply--with--such--requirement--shall--forfeit  
not--less--than--\$50--nor--more--than--\$500.

16 FISCAL NOTE

18 The Department of the Secretary of State will incur some  
20 minor additional costs to handle public records of any notary  
22 public who resigns or is removed from office. These costs can be  
absorbed within the department's existing budgeted resources.

24 The Judicial Department will realize some minor savings from  
this clarification of handling of these records.'

26 STATEMENT OF FACT

28 This amendment removes the record-keeping requirement and  
30 instead directs the Secretary of State to recommend that records  
32 be kept. The amendment also removes the forfeit requirement for  
34 failure to deposit records. The amendment also adds a fiscal  
note.