

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2057

H.P. 1441

House of Representatives, December 21, 2007

An Act To Amend the ~~Conflict of Interest~~ Laws for Notaries Public

Submitted by the Secretary of State pursuant to Joint Rule 204.

Received by the Clerk of the House on December 19, 2007. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND
Clerk

Presented by Representative BARSTOW of Gorham.

Cosponsored by Senator SCHNEIDER of Penobscot and

Representatives: Speaker CUMMINGS of Portland, MILLS of Farmington, TARDY of Newport, Senator: PERRY of Penobscot.

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

2 **Sec. 1. 4 MRSA §954-A**, as amended by PL 1999, c. 425, §1, is repealed and the
3 following enacted in its place:

4 **§954-A. Conflict of interest if notary related**

5 **1. Familial relationships; conflict of interest. A notary public may not perform a**
6 **notarial act for a person if that person is the notary public's:**

7 **A. Spouse;**

8 **B. Parent;**

9 **C. Sibling;**

10 **D. Child;**

11 **E. Registered domestic partner as provided in Title 22, section 2710;**

12 **F. Spouse's parent;**

13 **G. Spouse's sibling;**

14 **H. Spouse's child;**

15 **I. Child's spouse;**

16 **J. Registered domestic partner's parent;**

17 **K. Registered domestic partner's sibling;**

18 **L. Registered domestic partner's child;**

19 **M. Registered domestic partner's child's spouse;**

20 **N. Grandparent;**

21 **O. Grandparent's spouse;**

22 **P. Grandchild;**

23 **Q. Grandchild's spouse;**

24 **R. Registered domestic partner's grandparent;**

25 **S. Registered domestic partner's grandparent's spouse;**

26 **T. Registered domestic partner's grandchild; or**

27 **U. Registered domestic partner's grandchild's spouse.**

28 **2. Additional relationships. Relationships other than those specified under**
29 **subsection 1 formed by virtue of remarriage and not by blood, commonly described by**
30 **using the prefix "step," are also considered a conflict of interest for the purposes of**
31 **subsection 1.**

1 **3. Solemnization of certain marriages permitted.** Notwithstanding subsections 1
2 **and 2, a notary public may solemnize the marriage of a person under subsection 1,**
3 **paragraph B, C, D, F, G, H, J, K, L, N, P, R or T.**

4 **4. Exception.** This section does not affect or apply to notarial acts performed before
5 **the effective date of this subsection.**

6 SUMMARY

7 This bill adds relationships to the list of relationships considered to pose a conflict of
8 interest for a notary public in the conduct of the notary public's responsibilities. It allows
9 a notary public to solemnize the marriage of some family members.