

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 138

H.P. 120

House of Representatives, January 20, 2011

An Act To Allow a Nonresident Notary Public or Justice of the Peace To Perform a Single Wedding Ceremony

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative BRIGGS of Mexico.
Cosponsored by Senator PATRICK of Oxford and
Representatives: BEAUDOIN of Biddeford, BRYANT of Windham, CAIN of Orono,
GRAHAM of North Yarmouth, MALONEY of Augusta, MITCHELL of the Penobscot Nation,
PETERSON of Rumford, Senator: TRAHAN of Lincoln.

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

2 **Sec. 1. 19-A MRSA §654, sub-§3, ¶B**, as enacted by PL 1995, c. 694, Pt. B, §2
3 and affected by Pt. E, §2, is amended to read:

4 B. The date the notary public's commission expires; ~~or~~

5 **Sec. 2. 19-A MRSA §654, sub-§3, ¶C**, as enacted by PL 1995, c. 694, Pt. B, §2
6 and affected by Pt. E, §2, is amended to read:

7 C. The date the lawyer was admitted to the Maine Bar; or

8 **Sec. 3. 19-A MRSA §654, sub-§3, ¶D** is enacted to read:

9 D. The date the person's temporary registration certificate was issued under section
10 655, subsection 1-A.

11 **Sec. 4. 19-A MRSA §655, sub-§1, ¶A**, as amended by PL 2001, c. 574, §6, is
12 further amended to read:

13 A. If a resident of this State:

14 (1) A justice or judge;

15 (2) A lawyer admitted to the Maine Bar; or

16 (4) A notary public under Title 4, chapter 19; ~~and~~

17 **Sec. 5. 19-A MRSA §655, sub-§1, ¶B**, as enacted by PL 1995, c. 694, Pt. B, §2
18 and affected by Pt. E, §2, is amended to read:

19 B. Whether a resident or nonresident of this State and whether or not a citizen of
20 the United States:

21 (1) An ordained minister of the gospel;

22 (2) A cleric engaged in the service of the religious body to which the cleric
23 belongs; or

24 (3) A person licensed to preach by an association of ministers, religious
25 seminary or ecclesiastical body; and

26 **Sec. 6. 19-A MRSA §655, sub-§1, ¶C** is enacted to read:

27 C. A nonresident of the State who has a temporary registration certificate issued by
28 the State Registrar of Vital Statistics pursuant to subsection 1-A.

29 **Sec. 7. 19-A MRSA §655, sub-§1-A** is enacted to read:

30 1-A. Temporary registration certificate. A nonresident of the State who is
31 authorized under the laws of another state to perform in that state the duties of a notary
32 public or justice of the peace may apply to the State Registrar of Vital Statistics for
33 temporary authority to solemnize a marriage in this State. A person seeking a temporary
34 registration certificate under this subsection must submit to the State Registrar of Vital
35 Statistics:

1 A. Evidence the person is authorized under the laws of another state to perform in
2 that state the duties of a notary public or justice of the peace;

3 B. The names of the parties whose marriage the person proposes to solemnize and
4 the expected date of the marriage ceremony; and

5 C. A \$100 registration fee.

6 Upon finding the person has satisfied the requirements of this subsection, the State
7 Registrar of Vital Statistics shall issue to the person a temporary registration certificate
8 authorizing the person to solemnize the marriage of the parties whose names were
9 provided to the registrar pursuant to paragraph B. The temporary registration certificate
10 does not authorize the person to solemnize any other marriage and expires upon the
11 person's signing the marriage license pursuant to section 656.

12 **SUMMARY**

13 This bill permits a nonresident notary public or justice of the peace to apply for and
14 receive temporary authority to solemnize a particular marriage in this State.