

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**CHAPTER 425**

**H.P. 643 - L.D. 893**

**An Act to Amend the Laws Relating to Notaries Public**

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

**Sec. 1. 4 MRSA §954-A**, as corrected by RR 1997, c. 2, §6, is amended to read:

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

A notary public may not perform any notarial act for any person if that person is the notary public's spouse, parent, sibling, child, spouse's parent, spouse's sibling, spouse's child 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 witnessed and the marriage certificate signed by another notary public unrelated by marriage or blood to the parties, spouse's sibling or spouse's child.~~ This section does not affect or apply to notarial acts performed before August 4, 1988.

**Sec. 2. 4 MRSA §959**, as enacted by PL 1991, c. 465, §5, is repealed.

**Sec. 3. Application.** Notarial acts performed by a notary public for that notary public's spouse's child or spouse's sibling are not a conflict of interest if performed before the effective date of this Act.

See title page for effective date.

**CHAPTER 426**

**H.P. 510 - L.D. 717**

**An Act to Amend the Election Laws**

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

**Sec. 1. 21-A MRSA §1, sub-§51**, as enacted by PL 1985, c. 161, §6, is amended to read:

**51. Write-in candidate.** "Write-in candidate" means a person whose name does not appear on the ballot under the office designation to which a voter may wish to elect ~~him~~ the candidate and who has filed a declaration to be a write-in candidate pursuant to section 722-A.

**Sec. 2. 21-A MRSA §101, first ¶**, as amended by PL 1997, c. 436, §13, is repealed.

**Sec. 3. 21-A MRSA §101, sub-§2**, as amended by PL 1997, c. 436, §15, is repealed and the following enacted in its place:

**2. Appointment.** The municipal officers of each municipality shall appoint in writing a qualified registrar of voters by January 1st of each odd-numbered year. The registrar shall serve for 2 years and until a successor is appointed and sworn. The municipal clerk may be appointed to serve as registrar, but the term of the clerk has no effect on the term of the registrar.

**Sec. 4. 21-A MRSA §103, sub-§2**, as amended by PL 1995, c. 459, §7, is repealed.

**Sec. 5. 21-A MRSA §103, sub-§6**, as repealed and replaced by PL 1995, c. 459, §9, is amended to read:

**6. Hours.** Upon receipt of a complaint by a person aggrieved by the decision of the registrar, the chair of the registration appeals board shall immediately fix a time and place for the board to meet for a prompt hearing. After hearing, the board may affirm, modify or reverse the decision of the registrar of voters. The aggrieved person may appeal the decision of the board to the ~~District Superior~~ Court in accordance with Rule 80B of the Rules of Civil Procedure.

**Sec. 6. 21-A MRSA §121, sub-§1-A**, as amended by PL 1997, c. 436, §22, is further amended to read:

**1-A. Identification and proof.** Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 20 days of an election must be advised that the registrar might not receive the application before that election, but that the applicant may register in person before or on election day.

Registration applications received by the Secretary of State from outside agencies 21 days or more before an election must be transferred to the appropriate registrar's office within 10 days of receipt. Registration applications received by the Secretary of State from outside agencies 20 days or less before an election must be transferred to the appropriate registrar's office within 5 days of receipt. Registration applications by mail or by a 3rd person must be received in the registrar's office by the close of business ~~10~~ on the 10th business days day before election day in order for persons to appear on the list of registered voters for that election. If the registrar's office is not open on that day, the registrar must accept applications by mail that are received on the next day the registrar's office is open.