

5 §82-B. NOTARY PUBLIC REVIEW BOARD

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1. Board created. The Notary Public Review Board, as established by section 12004-G, subsection 31-C and referred to in this section as "the board," is created to review violations of law by notaries public and complaints concerning notaries public made pursuant to Title 4, section 955-C, subsection 3.

[2009, c. 74, §5 (AMD) .]

2. Membership. The board consists of 5 members as follows:

A. Two members selected from a list of members provided by the board of directors of a statewide group dedicated to the education of notaries in this State appointed by the Governor; [2007, c. 285, §2 (NEW) .]

B. One member who has been a notary public for less than 7 years, appointed by the Governor; [2007, c. 285, §2 (NEW) .]

C. One member who has been a notary public for more than 7 years, appointed by the Governor; and [2007, c. 285, §2 (NEW) .]

D. One member who has knowledge of notarial law and practices who is employed by the Secretary of State, appointed by the Secretary of State. [2007, c. 285, §2 (NEW) .]

[2007, c. 285, §2 (NEW) .]

3. Chair. The member of the board appointed by the Secretary of State is the chair of the board. The chair shall:

A. Act as the presiding officer in all matters that come before the board; [2007, c. 285, §2 (NEW) .]

B. [2009, c. 74, §6 (RP) .]

C. Participate fully in board deliberations; and [2007, c. 285, §2 (NEW) .]

D. Vote on the merits of complaints that come before the board. [2007, c. 285, §2 (NEW) .]

[2009, c. 74, §6 (AMD) .]

4. Terms. Except for the member appointed by the Secretary of State, members of the board serve 3-year terms. The member appointed by the Secretary of State serves at the pleasure of the Secretary of State.

[2007, c. 285, §2 (NEW) .]

5. Vacancy. Any vacancy on the board must be filled pursuant to subsection 2.

[2007, c. 285, §2 (NEW) .]

6. Reimbursement for expenses. Members of the board may be reimbursed by the Secretary of State for reasonable and necessary expenses incurred in carrying out their duties.

[2007, c. 285, §2 (NEW) .]

7. Review of complaints. The board shall review complaints against notaries public made pursuant to Title 4, section 955-C, subsection 3 and make recommendations to the Secretary of State on the appropriate disposition of such complaints. The board may hold a hearing as part of its review to determine whether grounds exist for denial of commission, suspension of commission, revocation of commission or renewal of commission or other action necessary to the fulfillment of the Secretary of State's responsibility under the

laws of this State. The board may recommend to the Secretary of State that the complaint be dismissed or that a notary public's commission be denied, suspended, revoked or not renewed or any other action that the board determines to be appropriate.

[2009, c. 74, §7 (AMD) .]

8. Rules. The board has the power reasonably necessary to perform the duties required of the Secretary of State by this section, including the power to make rules not inconsistent with this section. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

[2007, c. 285, §2 (NEW) .]

SECTION HISTORY

2007, c. 285, §2 (NEW). 2009, c. 74, §§5-7 (AMD).

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