

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
S.P. 60 - L.D. 129

An Act to Amend the Law Governing Dedimus Justices

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Governor may appoint in every county persons to be designated as dedimus justices, before whom the oath required by the Constitution of Maine to qualify civil officers may be taken and subscribed; and

Whereas, the need for the services that dedimus justices perform is outpacing the number of dedimus justices who can be found to perform the duties of that commission; and

Whereas, keeping an accurate account of how many people in this State are commissioned as dedimus justices and how to contact them is critical information for communities across this State who need the service that a dedimus justice performs; and

Whereas, this legislation must take effect before the end of the 90-day period to immediately address the shortage of dedimus justices available to qualify civil officers in the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §4, as amended by PL 1975, c. 771, §26, is repealed and the following enacted in its place:

§4. Dedimus justices

1. Appointment; term. The Governor may appoint in each county persons who are designated as dedimus justices, before whom the oath required by the Constitution of Maine to qualify civil officers may be taken and subscribed. A person appointed under this subsection shall exercise that person's powers and duties and is commissioned to act within

and for each county for a term of 7 years. A person already designated as a dedimus justice prior to October 1, 2025 is exempt from the 7-year term.

2. Change of information of dedimus justice. Within 30 calendar days of the occurrence of any of the following changes to a dedimus justice's status or information previously submitted, a dedimus justice shall submit written notice to the Governor and the Secretary of State:

- A. A change of the dedimus justice's name by court order or marriage;
- B. A change of the dedimus justice's residence or mailing address; or
- C. A change of the dedimus justice's e-mail address or telephone number.

3. Resignation. A dedimus justice may resign the dedimus justice's commission at any time by submitting written notice to the Governor and the Secretary of State of the intent to resign. The resignation is effective as of the date of the written notice. Upon resignation, a dedimus justice shall return the dedimus justice's certificate of commission to the Secretary of State.

Sec. 2. Mailing from Secretary of State. The Secretary of State shall send a mailing to each person designated prior to October 1, 2025 as a dedimus justice pursuant to the Maine Revised Statutes, Title 5, section 4 to request in return the person's updated contact information, including the person's residence or mailing address, e-mail address and telephone number. The mailing must also include information about the changes to Title 5, section 4 provided in this Act and make clear that a dedimus justice designated prior to October 1, 2025 is exempt from the term length requirement. Additionally, the mailing must explain how the changes provide the opportunity for a dedimus justice to resign the dedimus justice's commission.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.