

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 68

H.P. 54

House of Representatives, January 7, 1999

**An Act to Require That a Certified Copy of Municipal Ordinances Be
Recorded in the County Registry of Deeds.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WINSOR of Norway.
Cosponsored by Senator MILLS of Somerset and
Representatives: ANDREWS of York, PLOWMAN of Hampden, SCHNEIDER of Durham,
Senator: FERGUSON of Oxford.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 30-A MRSA §3005**, as amended by PL 1989, c. 104, Pt.
C, §§8 and 10, is further amended to read:

6 **§3005. Ordinances available**

8 Every ordinance of a municipality shall ~~shall~~ must be on file with
the municipal clerk and shall ~~shall~~ must be accessible to any member of
10 the public. Copies shall ~~shall~~ must be made available to any member of
the public, at reasonable cost, at the expense of the person
12 making the request. Notice that the ordinances are available
shall ~~shall~~ must be posted. A municipality must file a certified copy
14 of each of its ordinances with the register of deeds for the
registry district in which the municipality is located.
16 Municipal ordinances not filed with the register may not be
enforced by the municipality.

18 **Sec. 2. 33 MRSA §671** is enacted to read:

20 **§671. Record of municipal ordinances**

22 The register of deeds shall maintain a file of certified
24 copies of municipal ordinances filed as provided in Title 30-A,
section 3005. The register may not charge municipalities for
26 filing their ordinances.

28 **Sec. 3. Application.** This Act applies to municipal ordinances
adopted after the effective date of this Act. Municipal
30 ordinances in effect on the effective date of this Act must be
filed as required by the Act within one year of the effective
32 date of this Act.

34 **SUMMARY**

36 This bill requires a municipality to file a copy of every
38 ordinance with the county register of deeds and prohibits
enforcement of ordinances that are not properly filed. Current
40 ordinances must be filed within one year and municipalities may
not be assessed a filing fee.