

MAINE STATE LEGISLATURE

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L.D. 1873

DATE: 3.25.04

(Filing No. S-459)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 721, L.D. 1873, Bill, "An Act To Amend the Requirements for Status as Publisher of Legal Notices"

Amend the bill in section 1 in that part designated "§601." by striking out all of the indented paragraph (page 1, lines 8 to 17 in L.D.) and inserting in its place the following:

'To be qualified as a medium for the publication of legal notices, legal advertising and other matter required by law to be published in a newspaper, a newspaper, unless otherwise ordered by the court in the proceedings, must be printed in the English language; must be entered as 2nd-class periodical postal matter in the United States mails; and must have general circulation in the vicinity where the notice is required to be published. Any legal notice, legal advertising or other matter required by law to be published in a newspaper must appear in all editions of that newspaper.'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 1 MRSA §601-A is enacted to read:

§601-A. Publication of legal matter by municipality

Notwithstanding section 601, a newspaper that is entered as 3rd class mail in the United States mails is a qualified newspaper for publication of legal notices, legal advertising and other legal matter by a municipality if:

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1. Other standards of section 601. The newspaper meets all standards set forth in section 601 other than the mailing standard;

2. Approval. The legislative body or municipal officers of the municipality generally approve publication of legal notices, legal advertising and other legal matter in the newspaper;

3. Municipal record. The municipality retains a record of all legal notices, legal advertising and other legal matter published pursuant to this section; and

4. Archives. The publisher of the newspaper has a system of archiving past editions of the newspaper.'

SUMMARY

This amendment is the minority report. It updates language by changing the term "2nd class" to "periodical." It also permits a municipality to publish notices in a newspaper that is mailed as 3rd class mail if the legislative body approves use of the newspaper for that purpose, the newspaper meets other standards of existing law, the municipality retains a record of all published notices and the publisher of the newspaper has an archival system.