

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1344

H.P. 961

House of Representatives, April 4, 2013

An Act To Modernize the State's Legal Notice Requirements

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative ROTUNDO of Lewiston.
Cosponsored by Senator LACHOWICZ of Kennebec and
Representatives: BOLAND of Sanford, CHENETTE of Saco, COTTA of China, FREDETTE
of Newport, GRAHAM of North Yarmouth, NADEAU of Winslow, Senators: GERZOFSKY
of Cumberland, KATZ of Kennebec.

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

2 **Sec. 1. 1 MRSA §601**, as amended by PL 1997, c. 405, §1, is further amended to
3 read:

4 **§601. Publication of legal notices and advertising**

5 To be qualified as a medium for the publication of legal notices, legal advertising and
6 other matter required by law to be published in a newspaper, a newspaper, unless
7 otherwise ordered by the court in the proceedings, must be printed in the English
8 language; must be entered as 2nd class postal matter in the United States mails; and must
9 have general circulation in the vicinity where the notice is required to be published. Any
10 legal notice, legal advertising or other matter required by law to be published in a
11 newspaper must appear in all editions of that newspaper and must appear on any publicly
12 accessible website that the newspaper maintains in accordance with the requirements of
13 section 601-A.

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

15 **§601-A. Electronic notice**

16 **1. Electronic posting of legal notices.** A legal notice appearing in a newspaper
17 pursuant to section 601 must be placed on any publicly accessible website that the
18 newspaper maintains in the following manner:

19 A. The legal notice must be placed on the newspaper's publicly accessible website no
20 later than the same day that it appears in the newspaper;

21 B. A link to legal notices must be provided on the home page of the newspaper's
22 publicly accessible website;

23 C. Legal notices appearing on the newspaper's publicly accessible website must be
24 presented in a clear and conspicuous manner and must be of sufficient size to be
25 clearly readable;

26 D. Legal notices must be the dominant subject matter of the page on the newspaper's
27 publicly accessible website on which they are placed; and

28 E. Beginning on July 1, 2014, the newspaper's publicly accessible website must have
29 a search function allowing readers to search legal notices that appear on the website.

30 **2. E-mail notification of legal notices.** Beginning July 1, 2014, a newspaper that
31 publishes legal notices in accordance with section 601 shall provide, upon request and
32 without charge, e-mail notification of any new legal notices added to any publicly
33 accessible website that the newspaper maintains. E-mail notifications must be sent on the
34 same day that the new legal notice appears on the newspaper's publicly accessible
35 website. A newspaper must prominently display information regarding the ability to
36 receive e-mail notifications and the process for requesting such notifications on the page
37 of the newspaper's publicly accessible website where legal notices appear.

