

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)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1967

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
1967

Chapter 427

AN ACT Relating to Audits for Judiciary, Legislature and Executive.

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

Sec. 1. R. S., T. 3, § 4, additional. Title 3 of the Revised Statutes is amended by adding a new section 4, to read as follows:

§ 4. Postaudit

A postaudit of all accounts and other financial records of the Legislature and the Executive Department of the Governor, except the Governor's Expense Account, shall be performed at least once every 2 years by independent public accountants designated by the Governor and Council.

Such audit report shall be filed with the Legislature and with the State Library.

Sec. 2. R. S., T. 5, § 243, sub-§ 1, amended. Subsection 1 of section 243 of Title 5 of the Revised Statutes is amended to read as follows:

1. **Postaudit.** To perform a postaudit of all accounts and other financial records of the State Government or any department or agency thereof, including the judiciary and the Executive Department of the Governor, except the Governor's Expense Account, and to report annually on this audit, and at such other times as the Legislature may require;

Sec. 3. R. S., T. 5, § 1541, sub-§ 11, additional. Section 1541 of Title 5 of the Revised Statutes is amended by adding a new subsection 11, to read as follows:

11. **Definition.** The words, "the State Government," as used in this section shall include the judiciary and the Executive Department of the Governor.

Sec. 4. Effective date. Any audit under this Act shall be performed in the first instance for the fiscal year ending June 30, 1965.

Effective October 7, 1967

Chapter 428

AN ACT Relating to Publication of Legal Notices.

Emergency preamble. Whereas, the Coastal Journal, a weekly newspaper published in Bath, Sagadahoc County, and State of Maine since November 3, 1966, has been publishing probate notices, notices of foreclosure, other legal notices, legal advertising and other matter required by law to be published in a newspaper; and

Whereas, this newspaper is entered as 3rd class postal matter in the United States mails at the post office in Bath, Maine; and

Whereas, the Revised Statutes, Title I, section 601, requires that in order for a newspaper 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, it must be entered as 2nd class postal matter in the United States mail; and

Whereas, the legal efficacy of any procedure requiring notice, which notice has been printed in the Coastal Journal, has come into question; and

Whereas, in the opinion of the Legislature, these facts create an emergency requiring immediate action in order to remove any doubt as to the present and future validity of these notices and the legal procedures based on them; 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. R. S., T. 1, § 601, amended. Section 601 of Title I of the Revised Statutes is amended by adding after the first sentence the following new sentence:

In the event in a county no newspaper entered as second class postal matter and satisfying the requirements of this section is published and printed or has its principal place of business in such county, any legal notices, legal advertising or other matter required by law to be published in a newspaper in said county may be published in a newspaper satisfying such requirements except that it is published and printed or has its principal place of business in an adjoining county.

Sec. 2. R. S., T. 15, § 2161, amended. The first sentence of section 2161 of Title 15 of the Revised Statutes is amended to read as follows:

On all petitions to the Governor for pardon or commutation of sentences, written notice thereof shall be given to the Attorney General and the county attorney for the county where the case was tried at least 4 weeks before the time of the hearing thereon, and 4 weeks' notice in some newspaper ~~printed and published~~ **having its principal place of business** in said county.

Sec. 3. Application. All probate notices, notices of foreclosure, other legal notices, legal advertising and any other matter required by law to be published in a newspaper, which have been published in the Coastal Journal from the date of its first publication on November 3, 1966 to the effective date of this Act and which would have been valid except for the provision of the Revised Statutes, Title I, section 601, which requires a newspaper to be entered as second class postal matter, are declared to be valid.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.