

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Requirements for Publishing Municipal Legal Notices

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

Sec. 1. 30-A MRSA §2007 is enacted to read:

§ 2007. Publication of legal notices

Notwithstanding Title 1, section 601, a municipal legal notice may be published using the following procedures.

1. Alternative newspaper. A municipality may publish a legal notice in a newspaper distributed as 3rd class postal matter in the United States mail rather than a newspaper of general circulation if the municipal officers have adopted a publication policy that meets the following requirements:

A. The newspaper distributed as 3rd class postal matter is distributed to all households in the municipality; and

B. The municipality retains a record of all legal notices, legal advertising and other legal matter published pursuant to this subsection, subject to the rules for disposition of local government records as adopted by the Department of the Secretary of State, Maine State Archives.

2. Electronic media. A municipality may publish a legal notice using electronic media, such as municipal websites, electronic mailing services and other electronic resources, if the municipal officers have adopted an electronic publication policy that meets the following requirements:

A. More than 50% of the households in the municipality have subscribed to receive electronic notice of meetings and events;

B. Subscription to receive electronic notice is provided at no cost to the subscriber; and

C. The municipality retains a record of all legal notices, legal advertising and other legal matter published pursuant to this subsection, subject to the rules for disposition of local government records as adopted by the Department of the Secretary of State, Maine State Archives.

SUMMARY

This bill allows municipalities to publish legal notices either in a newspaper distributed by 3rd class mail or electronically as long as the municipal officers adopt a publication policy.

Under the alternative newspaper distribution option, the locally adopted policy must meet 2 requirements:

1. All households in the municipality must receive the alternative newspaper; and
2. The municipality must retain a record of all notices published in the alternative newspaper.

Under the electronic media distribution option, the locally adopted policy must meet 3 requirements:

1. More than 50% of all households in the municipality must subscribe to receive electronic notices;
2. Subscription must be provided at no cost; and
3. The municipality must retain a record of all notices distributed electronically.