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An Act To Allow the Expansion of the Types of Newspapers That Qualify as Legal Notice Publishers by Removing the 2nd Class Postal Matter Requirement

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

Sec. 1. 1 MRSA §601, first ¶, as amended by PL 2013, c. 368, Pt. YYYY, §1, is further amended to read:

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 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 and must appear on any publicly accessible website that the newspaper maintains in accordance with the requirements of section 603.

Sec. 2. 1 MRSA §602, as corrected by RR 1997, c. 2, §2, is amended to read:

§ 602. Additional media for publication of notices

Notwithstanding section 601, all probate notices, notices of foreclosure, other legal notices, legal advertising and other matter required by law to be published in a newspaper that have been published in the Coastal Journal from the date of its first publication on November 3, 1966 and in the Somerset Gazette from the date of its first publication on April 16, 1990 to June 2, 1993, and that would have been valid but for ~~thea former~~ provision of section 601 effective at any point from November 3, 1966 to the general effective date for nonemergency laws passed during the First Regular Session of the 129th Legislature that requiresrequired a newspaper carrying such notices to be entered as 2nd class postal matter, are declared to be valid.

SUMMARY

This bill removes from the law governing publication of legal notices the requirement that, in order for a newspaper to publish notices, it must be entered as 2nd class postal matter in the United States mails.