

MAINE STATE LEGISLATURE

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Election Political Advertisements

21 M.R.S.A. § 1394

STATE OF MAINE

Inter-Departmental Memorandum Date October 13, 1976

To Stephen F. Wright, Municipal Coordinator Dept. State

From Donald G. Alexander, Deputy Dept. Attorney General

Subject Announcements of Source of Advertisements

This responds to your memorandum of September 30, 1976, in which you ask two questions.

The questions are responded to as follows:

1. To what extent does 21 M.R.S.A. § 1394 pertain to referendum questions?

The third paragraph of 21 M.R.S.A. § 1394 specifies that referendum questions are included within the coverage of § 1394.

2. How should the "announcing" terminology in 21 M.R.S.A. § 1394 § 4 be interpreted?

Paragraph 4 relates to broadcasting stations. It does not distinguish between radio and television stations. Certainly for radio stations the term "announcing" means a spoken statement at the end of a political advertisement identifying the person (which can be a committee) who made or financed the expenditure for the communication. As a spoken statement is clearly required on radio, it is equally required in a television advertisement. The fact that a spoken statement is intended is further confirmed by the fact that the remainder of § 1394, is speaking about communications, uses the term "state" to indicate requirement for stating a name as part of an advertisement. Thus, the difference in the term using "announcing" instead of "stating" is further clarification of the intent that the statement at the end of a political advertisement on television be verbal in nature.

DONALD G. ALEXANDER
Deputy Attorney General

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