

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1757

H. P. 1647

House of Representatives, January 3, 1980

Referred to the Committee on Election Laws. Sent up for concurrence and Ordered Printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Kelleher of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT Amending the Requirement of Announcing Political Disclaimers.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a special referendum election has been called by the Governor in March, 1980; and

Whereas, the existing provisions in the Revised Statutes, Title 21, sections 1394 and 1416, if not amended by emergency legislation, will require the announcement of political disclaimers rather than visual display of such disclaimers; and

Whereas, this creates a needless burden on candidates and referendum supporters and opponents; 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Sec. 1. 21 MRSA § 1394, last ¶, as last repealed and replaced by PL 1977, c. 575, § 7, is amended to read:

No person operating a broadcasting station within this State shall broadcast any such communication without announcing **or visually displaying** the name of the person who made or financed the expenditure for the communication.

Sec. 2. 21 MRSA § 1416, last ¶, as enacted by PL 1977, c. 575, § 17, is amended to read:

No person operating a broadcasting station within this State shall broadcast any such communication without announcing verbally **or visually displaying** the name of the person who made or financed the expenditure for the communication.

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

STATEMENT OF FACT

A change in the law in 1977 required television broadcasters to announce political disclaimers, which previously had been done either verbally or by a visual display. The change has led to confusion in that candidates and agencies have continued to supply advertisements with visual display disclaimers. To add the verbal disclaimer results in delay and additional expense without any known benefit. The bill is being presented as emergency legislation in order that the change take effect prior to the March, 1980, referendum.