

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 129

6  
7 H.P. 121

House of Representatives, January 10, 1983

8 Reference to the Committee on Election Laws. Sent up for concurrence  
9 and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Rolde of York.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Prohibit Advertising for  
18 Political Candidates on Radio and  
19 Television.  
20

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

23 21 MRSA §1394, as amended by PL 1979, c. 638, §1,  
24 is repealed and the following enacted in its place:

25 §1394. Broadcast, publication or distribution of  
26 political statements

27 1. Electronic broadcasting prohibited. It shall  
28 be unlawful for any person to advertise for or  
29 against the candidacy of a person seeking elective  
30 office in or from this State on any medium of elec-  
31 tronic communication subject to the jurisdiction of  
32 the Federal Communications Commission. For purpose  
33 of this section, the conduction of any public affairs

1 program involving discussions with a candidate or  
2 candidates, debates between candidates or the pre-  
3 sentation of news events involving a candidate or  
4 candidates by an independent news broadcast organiza-  
5 tion unaffiliated with any candidate, shall not con-  
6 stitute advertising. A person found guilty of vio-  
7 lating this subsection shall be liable to a fine of  
8 not less than \$500 nor more than \$1,000 for the first  
9 offense, and not less than \$1,000 nor more than  
10 \$5,000 for each subsequent offense.

11 2. Sponsorship of other advertisement required.  
12 Whenever any person makes an expenditure for the pur-  
13 pose of financing communications expressly advocating  
14 the election or defeat of a clearly identified candi-  
15 date through newspapers, magazines, outdoor advertis-  
16 ing facilities, direct mails and other similar types  
17 of general public political advertising and through  
18 flyers, handbills, bumper stickers and other  
19 nonperiodical publications, the communication, if  
20 authorized by a candidate, a candidate's authorized  
21 political committee or their agents, shall clearly  
22 and conspicuously state that the communication has  
23 been so authorized and shall clearly state the name  
24 and address of the person who made or financed the  
25 expenditure for the communication.

26 If the communication is not authorized by a candi-  
27 date, a candidate's authorized political committee or  
28 their agents, the communication shall clearly and  
29 conspicuously state that the communication is not  
30 authorized by any candidate, and state the name and  
31 address of the person who made or financed the  
32 expenditure for the communication.

33 STATEMENT OF FACT

34 The purpose of this bill is to prohibit political  
35 advertising through any form of the electronic media  
36 by a candidate, his authorized political committee or

1 agent or any person, whether affiliated with the can-  
2 didate or not, concerning that person's candidacy for  
3 elective office.

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