

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1254

H.P. 928

House of Representatives, March 6, 2003

### An Act To Change the Maine Clean Election Laws

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Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CLARK of Millinocket.  
Cosponsored by Senator STANLEY of Penobscot and  
Representatives: BLANCHETTE of Bangor, BULL of Freeport, CLOUGH of Scarborough,  
GOODWIN of Pembroke, JODREY of Bethel, WHEELER of Kittery, Senator: MAYO of  
Sagadahoc.

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

Sec. 1. 21-A MRSA §1014, sub-§1, as amended by PL 1991, c. 839, §8, is further amended to read:

1. **Authorized by candidate.** Whenever a person makes an expenditure to finance a communication expressly advocating the election or defeat of a clearly identified candidate through broadcasting stations, newspapers, magazines, outdoor advertising facilities, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, the communication, if authorized by a candidate, a candidate's authorized political committee or their agents, must clearly and conspicuously state that the communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the communication. The following forms of political communication do not require the name and address of the person who made or authorized the expenditure for the communication because the name or address would be so small as to be illegible or infeasible: ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fund-raisers and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section. In an election in which there is no candidate who is not certified under chapter 14, a person other than a candidate or a candidate's authorized political committee may not make a communication by mail for or against a candidate.

Sec. 2. 21-A MRSA §1014, sub-§2, as enacted by PL 1985, c. 161, §6, is amended to read:

2. **Not authorized by candidate.** If the communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or their agents, the communication must clearly and conspicuously state that the communication is not authorized by any candidate and state the name and address of the person who made or financed the expenditure for the communication. In an election in which there is no candidate who is not certified under chapter 14, a person other than a candidate or a candidate's authorized political committee may not make a communication by mail for or against a candidate.

Sec. 3. 21-A MRSA §1019, sub-§4 is enacted to read:

**4. Restrictions.** In an election in which there is no candidate who is not certified under chapter 14, a person other than a candidate or a candidate's authorized political committee may not make an expenditure for a communication sent by mail for or against a candidate.

**Sec. 4. 21-A MRSA §1055**, as amended by PL 2001, c. 430, §9, is further amended by adding a new 3rd paragraph to read:

In an election in which there is no candidate who is not certified under chapter 14, a political action committee may not send a communication by mail for or against a candidate.

## SUMMARY

This bill prohibits anyone other than a candidate or a candidate's authorized political committee from sending political communications by mail either for or against a candidate if all of the candidates in the election are certified candidates under the Maine Clean Election Act.