

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1362

H.P. 997

House of Representatives, March 18, 2003

### **An Act Regarding Disclosures Required on Advertising by Candidates**

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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 SNOWE-MELLO of Poland.  
Cosponsored by Representatives: COLLINS of Wells, GLYNN of South Portland, HEIDRICH of Oxford, HOTHAM of Dixfield, McKENNEY of Cumberland, MOORE of Standish, SHIELDS of Auburn, TRAHAN of Waldoboro.

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

4 **Sec. 1. 21-A MRSA §1014, sub-§1,** as amended by PL 1991, c.  
5 839, §8, is further amended to read:

6 **1. Authorized by candidate.** Whenever a person makes an  
7 expenditure to finance a communication expressly advocating the  
8 election or defeat of a clearly identified candidate through  
9 broadcasting stations, newspapers, magazines, outdoor advertising  
10 facilities, direct mails or other similar types of general public  
11 political advertising or through flyers, handbills, bumper  
12 stickers and other nonperiodical publications, the communication,  
13 if authorized by a candidate, a candidate's authorized political  
14 committee or their agents, must clearly and conspicuously state  
15 that the communication has been so authorized and must clearly  
16 state the name and address of the person who made or financed the  
17 expenditure for the communication. The communication must  
18 indicate that it is paid for by funds raised by the candidate.  
19 The following forms of political communication do not require the  
20 name and address of the person who made or authorized the  
21 expenditure for the communication because the name or address  
22 would be so small as to be illegible or infeasible: ashtrays,  
23 badges and badge holders, balloons, campaign buttons, clothing,  
24 coasters, combs, emery boards, envelopes, erasers, glasses, key  
25 rings, letter openers, matchbooks, nail files, noisemakers, paper  
26 and plastic cups, pencils, pens, plastic tableware, 12-inch or  
27 shorter rulers, swizzle sticks, tickets to fund-raisers and  
28 similar items determined by the commission to be too small and  
29 unnecessary for the disclosures required by this section.

30 **Sec. 2. 21-A MRSA §1125, sub-§11-A** is enacted to read:

31 **11-A. Disclosure.** If a participating candidate finances a  
32 communication expressly advocating the election or defeat of a  
33 clearly identified candidate through broadcasting stations,  
34 newspapers, magazines, outdoor advertising facilities, direct  
35 mails or other similar types of general public political  
36 advertising or through flyers, handbills, bumper stickers and  
37 other nonperiodical publications, the communication must clearly  
38 and conspicuously state that the communication has been  
39 authorized by the candidate, the candidate's authorized political  
40 committee or their agents and must clearly state that the  
41 communication is paid for by taxpayer funds.

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45 **SUMMARY**

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48 This bill clarifies the information to be disclosed on  
49 candidates' advertisements. For a candidate participating in the  
50 Maine Clean Election Act, an advertisement must indicate that it

2 is paid for with taxpayer funds. For a nonparticipating candidate, an advertisement must indicate that it is paid for by funds raised by the candidate.