

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 258

H.P. 204

House of Representatives, January 27, 2009

An Act Regarding Political Signs

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DAVIS of Sangerville.
Cosponsored by Senator SMITH of Piscataquis and
Representatives: CLARK of Millinocket, CROCKETT of Bethel, JOHNSON of Greenville,
THOMAS of Ripley, Senators: RAYE of Washington, ROSEN of Hancock.

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

2 **Sec. 1. 21-A MRSA §1014, sub-§1**, as amended by PL 2007, c. 443, Pt. A, §9, is
3 further amended to read:

4 **1. Authorized by candidate.** Whenever a person makes an expenditure to finance a
5 communication expressly advocating the election or defeat of a clearly identified
6 candidate through broadcasting stations, newspapers, magazines, campaign signs or other
7 outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or
8 other similar types of general public political advertising or through flyers, handbills,
9 bumper stickers and other nonperiodical publications, the communication, if authorized
10 by a candidate, a candidate's authorized political committee or their agents, must clearly
11 and conspicuously state that the communication has been so authorized and must clearly
12 state the name ~~and address~~ of the person who made or financed the expenditure for the
13 communication. The following forms of political communication do not require the
14 name ~~and address~~ of the person who made or authorized the expenditure for the
15 communication because the name ~~or address~~ would be so small as to be illegible or
16 infeasible: ashtrays, badges and badge holders, balloons, campaign buttons, clothing,
17 coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers,
18 matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic
19 tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fund-raisers and similar
20 items determined by the commission to be too small and unnecessary for the disclosures
21 required by this section. A communication sign that is at least 2 square feet in size or
22 larger that includes a candidate's name and that is financed by a the candidate or the
23 candidate's committee that is made through a broadcasting station is not required to state
24 the address of the candidate or committee that who financed the communication sign.

25 **Sec. 2. 21-A MRSA §1014, sub-§2**, as amended by PL 2003, c. 510, Pt. F, §1
26 and affected by c. 599, §15, is further amended to read:

27 **2. Not authorized by candidate.** If the communication described in subsection 1 is
28 not authorized by a candidate, a candidate's authorized political committee or their agents,
29 the communication must clearly and conspicuously state that the communication is not
30 authorized by any candidate and state the name ~~and address~~ of the person who made or
31 financed the expenditure for the communication. If the communication is in written
32 form, the communication must contain at the bottom of the communication in print that is
33 no smaller in size than 10-point bold print, Times New Roman font, the words "NOT
34 PAID FOR OR AUTHORIZED BY ANY CANDIDATE."

35 **Sec. 3. 21-A MRSA §1014, sub-§2-A**, as amended by PL 2007, c. 443, Pt. A, §9,
36 is further amended to read:

37 **2-A. Other communications.** Whenever a person makes an expenditure to finance
38 a communication that names or depicts a clearly identified candidate and that is
39 disseminated during the 21 days before a primary election or 35 days before a general
40 election through the media described in subsection 1, the communication must state the
41 name ~~and address~~ of the person who made or financed the communication and a
42 statement that the communication was or was not authorized by the candidate. The

1 disclosure is not required if the communication was not made for the purpose of
2 influencing the candidate's nomination for election or election.

3 **SUMMARY**

4 This bill removes the requirement in the election laws that the address of a person
5 who pays for a communication made for or against a candidate be on the communication.
6 The bill also provides that the name of a candidate or candidate's committee does not
7 have to be on a sign as having financed the sign if the candidate's name is prominently
8 displayed on the sign and the sign is at least 2 square feet or larger in size.