

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 922

H.P. 646

House of Representatives, March 7, 2013

An Act To Eliminate the Requirement That an Address Be Provided in Disclaimers on Political Radio Advertisements

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MOONEN of Portland.
Cosponsored by Representative: RUSSELL of Portland.

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 2011, c. 389, §10, 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, cable television systems, newspapers,
7 magazines, campaign signs or other outdoor advertising facilities, publicly accessible
8 sites on the Internet, direct mails or other similar types of general public political
9 advertising or through flyers, handbills, bumper stickers and other nonperiodical
10 publications, the communication, if authorized by a candidate, a candidate's authorized
11 political committee or their agents, must clearly and conspicuously state that the
12 communication has been so authorized and must clearly state the name and address of the
13 person who made or financed the expenditure for the communication. The following
14 forms of political communication do not require the name and address of the person who
15 made or authorized the expenditure for the communication because the name or address
16 would be so small as to be illegible or infeasible: ashtrays, badges and badge holders,
17 balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers,
18 glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic
19 cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to
20 fund-raisers, electronic media advertisements where compliance with this section would
21 be impracticable due to size or character limitations and similar items determined by the
22 commission to be too small and unnecessary for the disclosures required by this section.
23 A communication broadcast by radio or a communication financed by a candidate or the
24 candidate's committee is not required to state the address of the candidate or committee
25 that financed the communication. A communication in the form of a sign that is financed
26 by a candidate or the candidate's committee and that clearly identifies the name of the
27 candidate and is lettered or printed individually by hand is not required to include the
28 name and address of the person who made or financed the communication or to include a
29 statement that the communication has been authorized by the candidate, the candidate's
30 authorized committee or their agents.

31 **Sec. 2. 21-A MRSA §1014, sub-§2**, as amended by PL 2011, c. 360, §1, is
32 further amended to read:

33 **2. Not authorized by candidate.** If the communication described in subsection 1 is
34 not authorized by a candidate, a candidate's authorized political committee or their agents,
35 the communication must clearly and conspicuously state that the communication is not
36 authorized by any candidate and state the name and address of the person who made or
37 financed the expenditure for the communication, except that a communication broadcast
38 by radio is not required to state the address of the person that financed the
39 communication. If the communication is in written form, the communication must
40 contain at the bottom of the communication in print that is no smaller in size than
41 12-point bold print, Times New Roman font, the words "NOT PAID FOR OR
42 AUTHORIZED BY ANY CANDIDATE."

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

2-A. Other communications. Whenever a person makes an expenditure to finance a communication that names or depicts a clearly identified candidate and that is disseminated during the 21 days before a primary election or 35 days before a general election through the media described in subsection 1, the communication must state the name and address of the person who made or financed the communication and a statement that the communication was or was not authorized by the candidate, except that a communication broadcast by radio is not required to state the address of the person that financed the communication. The disclosure is not required if the communication was not made for the purpose of influencing the candidate's nomination for election or election.

SUMMARY

This bill removes the requirement that a disclaimer on a political communication provide the address of the candidate, political committee or person who financed the communication if the communication is broadcast by radio.