

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 791

H.P. 571

House of Representatives, March 2, 2017

An Act Regarding Advertisements by Maine Clean Election Act Candidates

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MALABY of Hancock.

Cosponsored by Representatives: CHACE of Durham, HANINGTON of Lincoln, PRESCOTT of Waterboro, SIROCKI of Scarborough, SUTTON of Warren, VACHON of Scarborough,
Senators: LANGLEY of Hancock, WHITTEMORE of Somerset.

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 2013, c. 494, §1, 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. If the candidate is
14 a certified candidate, as defined in section 1122, subsection 1, the communication also
15 must clearly and conspicuously state that the communication was paid for with Maine
16 taxpayer funds. A communication financed by a candidate or the candidate's committee
17 is not required to state the address of the candidate or committee that financed the
18 communication. If a communication that is financed by someone other than the
19 candidate or the candidate's authorized committee is broadcast by radio, only the city and
20 state of the address of the person who financed the communication must be stated.

21 **Sec. 2. 21-A MRSA §1014, sub-§2-A**, as amended by PL 2013, c. 362, §3, is
22 further amended to read:

23 **2-A. Other communications.** Whenever a person makes an expenditure to finance
24 a communication that names or depicts a clearly identified candidate and that is
25 disseminated during the 21 days before a primary election or 35 days before a general
26 election through the media described in subsection 1, the communication must state the
27 name and address of the person who made or financed the communication and a
28 statement that the communication was or was not authorized by the candidate, except that
29 a communication broadcast by radio is only required to state the city and state of the
30 address of the person that financed the communication. If the communication was
31 authorized by a candidate who is a certified candidate, as defined in section 1122,
32 subsection 1, the communication also must state that the communication was paid for
33 with Maine taxpayer funds. ~~The disclosure is~~ These disclosures are not required if the
34 communication was not made for the purpose of influencing the candidate's nomination
35 for election or election.

36 **SUMMARY**

37 This bill requires a campaign communication authorized by a candidate who is a
38 certified candidate under the Maine Clean Election Act to state that the communication
39 was paid for with Maine taxpayer funds.