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**Comments of Suzanne D. Goucher, President & CEO, Maine Association of Broadcasters
Concerning statute changes for the 2013 legislative session proposed by the staff of the
Maine Commission on Governmental Ethics and Election Practices**

We appreciate the opportunity to comment on the proposal for legislative changes to the election laws of Maine.

We suggest only a few tweaks to clarify the proposed language, as well as tweaks to existing language not proposed in the staff draft. New language is underlined; proposed deletions are denoted by a ~~strikethrough~~.

21-A MRSA 1012 (3)

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, cable television system, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee, candidate, or candidate's immediate family;

(1-A) Any communication distributed through a public access television channel on a cable television system ~~station~~ if the communication complies with the laws and rules governing the station and all candidates in the race have an equal opportunity to promote their candidacies through the ~~station~~ channel;

The above change to section (1) would clarify that “expenditure” does not include a news story aired on a cable TV system channel, as for example on the “New England Cable News” programming service which is carried by several cable TV systems in Maine.

The change to section (1-A) would clarify that this section of law applies to public access channels on cable TV systems. “Public access television channels” exist only on cable TV systems, as may be required by local municipal franchise agreements. The term “station” generally refers to an over-the-air broadcast station, not a cable TV system.

21A § 1055-A. Political communications to influence a ballot question

1. Communications to influence ballot question elections. *Whenever a person makes an expenditure exceeding \$500 expressly advocating for support or opposition of a ~~campaign~~ ballot question through broadcasting stations, cable television systems, newspapers, magazines, campaign signs or other outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, the communication must clearly and conspicuously ~~clearly~~ state the name and address of the person who made or financed the expenditure for the communication. ~~For the purposes of this section, "campaign" does not include communications to influence the nomination or election of a candidate.~~*

Federal law requires broadcast stations to identify the sponsor of all paid advertising material. This proposed statute would represent no change from current practice in our industry. However, since the section heading and subheading both refer to "ballot question," the word "campaign" should be deleted for clarity and replaced with "ballot question." That would eliminate the need for the last sentence.

Again, thank you for the opportunity to weigh in on these important matters.

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