

# MAINE STATE LEGISLATURE

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L.D. 1257

DATE: May 20, 1999

(Filing No. S-315 )

**LEGAL AND VETERANS AFFAIRS**

Reported by:

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 420, L.D. 1257, Bill, "An Act to Regulate Push Polling"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**Sec. 1. 21-A MRSA §1001, sub-§4 is enacted to read:**

4. Push poll. "Push poll" means an interview with a voter that is designed to influence the voter's decision with a series of questions that appear to be an objective opinion poll concerning an issue or issues but that are worded to suggest answers that support a certain position concerning the issue or issues.

**Sec. 2. 21-A MRSA §1014-B is enacted to read:**

**§1014-B. Push polling; disclosure; violation**

Any person conducting a push poll on the telephone for any candidate for office shall disclose the name and address of the organization or company conducting the poll, the name and address of the person or organization who financed the expenditure for the poll and, if the poll is authorized by the candidate, the name of the candidate and the office for which the candidate is running. A person who violates this section commits a Class E crime.'

Further amend the bill by inserting at the end before the summary the following:

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**FISCAL NOTE**

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6 This bill may increase prosecutions for Class E crimes. If  
8 a jail sentence is imposed, the additional costs to the counties  
10 are estimated to be \$82.48 per day per prisoner. These costs are  
not reimbursed by the State. The number of prosecutions that may  
result in a jail sentence and the resulting costs to the county  
jail system are expected to be insignificant.

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14 The additional workload and administrative costs associated  
with the minimal number of new cases filed in the court system  
can be absorbed within the budgeted resources of the Judicial  
Department. The collection of additional fines may increase  
16 General Fund revenue by minor amounts.

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20 The Commission on Governmental Ethics and Election Practices  
will incur some minor additional costs to monitor the provisions  
regarding push polling. These costs can be absorbed within the  
commission's existing budgeted resources.'

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**SUMMARY**

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28 This amendment replaces the original bill. It defines "push  
poll." Anyone conducting push polling by telephone must disclose  
who financed the poll and, if the poll is authorized by a  
candidate, that candidate's name and the office sought by the  
30 candidate. Any violation of this provision is a Class E crime.  
The amendment also adds a fiscal note to the bill.