

MAINE STATE LEGISLATURE

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L.D. 1257

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

COMMITTEE AMENDMENT "B" 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" is defined as follows.

A. "Push poll" means any series of telephone surveys that interview voters and are designed to influence a voter's decision with a series of questions that:

(1) Intentionally purport 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;

(2) Do not request demographic information but are targeted to a particular demographic group or groups;

(3) Result in encouraging a voter to support or not support a candidate or candidates, a political party or a certain position concerning the issue or issues; or

(4) Result in subsequent telephone calls that encourage a voter to support or not support a candidate or candidates, a political party or a certain position concerning the issue or issues.

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COMMITTEE AMENDMENT "B" to S.P. 420, L.D. 1257

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B. "Push poll" does not include generally accepted scientific polling research, including, but not limited to, surveys that:

(1) Measure the public's opinion about or reaction to an issue, fact or theme;

(2) Are at least 5 minutes in length if completed; and

(3) Request demographic information for data collection.

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.'

SUMMARY

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 candidate. Any violation of this provision is a Class E crime.