

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1055

S.P. 308

In Senate, February 22, 2001

An Act to Regulate Push Polling.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President Pro Tem BENNETT of Oxford.

Be it enacted by the People of the State of Maine as follows:

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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 telephone surveys that interview voters and are designed to influence a voter's decision with questions that:

(1) Intentionally purport to be part of 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 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 issues.

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.

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SUMMARY

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This bill defines "push poll" and requires anyone conducting push polling by telephone to 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. A violation of this provision is a Class E crime.