



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 412

H.P. 278

House of Representatives, February 12, 2015

An Act Regarding Telephonic Political Communications and Push Polling

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 COOPER of Yarmouth.
Cosponsored by Senator BREEN of Cumberland and
Representative: BLUME of York.

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

2 **Sec. 1. 21-A MRSA §1014, sub-§5**, as amended by PL 2007, c. 443, Pt. A, §9, is
3 further amended to read:

4 **5. Telephone calls.** Prerecorded automated telephone calls and scripted live
5 telephone communications, including telephone calls made for the purposes of
6 researching the views of voters, that name a clearly identified candidate during the 21
7 days before a primary election or the 35 days before a general election must clearly state
8 at the start of the call the name of the person ~~who~~ or organization that made or financed
9 the expenditure for the communication, except for prerecorded automated telephone calls
10 paid for by the candidate that use the candidate's voice in the telephone call and that are
11 made in support of that candidate. ~~Telephone calls made for the purposes of researching~~
12 ~~the views of voters are not required to include the disclosure.~~ If the respondent to a
13 scripted live telephone communication requests additional information on the person or
14 organization that made or financed the expenditure for the communication, the caller
15 must describe to the respondent where such information, including information relating to
16 the source or sources of funding for the person or organization, is available for inspection.

17 **Sec. 2. 21-A MRSA §1014-B, sub-§2, ¶A**, as enacted by PL 2001, c. 416, §1, is
18 amended to read:

19 A. A person may not authorize, commission, conduct or administer a push poll by
20 telephone or telephonic device unless, during at the start of each call, the caller
21 identifies the person or organization sponsoring or authorizing the call by stating
22 "This is a paid political advertisement by (name of persons or organizations)," and
23 identifies the organization making the call, if different from the sponsor, by stating
24 "This call is conducted by (name of organization)." If the respondent requests
25 additional information on the person or organization sponsoring or authorizing the
26 call, the caller must describe to the respondent where additional information on the
27 person or organization, including information relating to the source or sources of
28 funding for the person or organization, is available for inspection.

29 **SUMMARY**

30 This bill amends the political communications laws to require that all prerecorded
31 automated telephone calls and scripted live telephone communications, including those
32 made for the purposes of researching the views of voters, that name a clearly identified
33 candidate during the 21 days before a primary election or the 35 days before a general
34 election clearly state at the start of the call the name of the person or organization that
35 made or financed the expenditure for the communication. The bill requires that, for
36 scripted live telephone communications, if the respondent requests additional information
37 on the person or organization that made or financed the expenditure for the
38 communication, the caller must describe where such information, including information
39 relating to the source or sources of funding for the person or organization, is available for
40 inspection. The bill also amends the push polling laws to require that a caller disclose at
41 the start of a call the person or organization sponsoring or authorizing the call and the
42 organization making the call if different from the sponsor. Current law requires only that

1 these disclosures be made at some point during the call. This bill also requires that, if a
2 respondent requests additional information on the person or organization sponsoring or
3 authorizing the call, the caller must describe to the respondent where such information,
4 including information relating to the source or sources of funding for the person or
5 organization, is available for inspection.