Testimony of
Robert S. LaBrant
Senior Vice President and General Counsel
Michigan Chamber of Commerce
on SB 284
Before the
Senate Campaign and Election Oversight Committee
on February 28, 2007

Madame Chair and members of the Committee:

Each election cycle generates a heavy volume of automated political phone calls that have infuriated countless voters.

Whether robo calls are done by Republicans or Democrats, are positive or negative, mean spirited or humorous, hundreds of thousands of Michiganians are sick of them.

Many are hanging up as soon as the recording begins or screening them out with caller ID.

Up till now robo calls have even escaped the disclaimer requirements of the Michigan Campaign Finance Act.

SB 284 corrects that omission and imposes the same disclaimer requirements for robo calls that the Act currently requires for a radio ad.

My only suggestion would be to require that the disclaimer which identifies the person paying for the automated call be placed at the beginning of the message.

Too often the robo call begins: "Hello, I'm calling with information about John Doe." The call then proceeds to give negative information about John Doe on various issues. But many people hang up after the first line mistakenly believing they've been called once again by that pestering John Doe Campaign.

Recently six states have enacted legislation to extend their state's do-not-call law to automated political calls. Arkansas, Indiana, Minnesota, Montana, North Dakota and Wyoming currently have laws regulating robo calls.

Michigan may eventually want to follow their lead. However, that does not eliminate the need to enact SB 284 now. Not everyone will follow through to be placed on the state's not-call registry. Who has paid for the robo call should be identified at the beginning of each message.They must not be allowed to remain anonymous.

Suggested Amendments:

1. On page 1, line 3, after "STATE" insert "AT THE BEGINNING OF THE MESSAGE."

2. On page 1, line 7, after "STATE" insert "AT THE BEGINNING OF THE MESSAGE."

3. On page 2, line 1, after "STATE" insert "AT THE BEGINNING OF THE MESSAGE."