

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2336

S.P. 900 In Senate, February 23, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.

Reference to the Committee on Business Legislation
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland.

Cosponsored by Representative TARDY of Palmyra,
Representative GURNEY of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Prohibit Automated Telephone
Solicitation.

1
2
3

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

6 10 MRSA c. 222 is enacted to read:

1 CHAPTER 222

2 AUTOMATED TELEPHONE SOLICITATION

3 §1496. Automated telephone solicitation prohibited;
4 exceptions; penalties

5 1. Prohibition. Except as provided in subsection
6 2, no person may use an automated telephone system or
7 device for the selection and dialing of telephone
8 numbers and playing of recorded messages for purposes
9 of:

10 A. Offering any goods or services for sale;

11 B. Conveying information on goods or services in
12 soliciting sales or purchases;

13 C. Soliciting information;

14 D. Gathering data and statistics; or

15 E. Promoting or any other use related to a
16 political campaign.

17 2. Exceptions. This section does not prohibit
18 the use of an automated telephone system or device
19 described under subsection 1 for purposes of:

20 A. Informing purchasers of the receipt,
21 availability or delivery of goods or services or
22 any delay or other pertinent information on the
23 status of any purchased goods or services; or

24 B. Responding to a telephone inquiry initiated by
25 any person.

26 3. Penalty. Violation of this section is a Class
27 E crime.

28 STATEMENT OF FACT

29 This bill prohibits the use of automated telephone

1 systems or devices for purposes of soliciting
2 potential purchasers of goods or services, gathering
3 data or information or for use in a political
4 campaign. The bill does not prohibit the use of such
5 automated systems or devices to inform a person who
6 has already purchased goods of the status of those
7 goods or to respond to a consumer's inquiry. A person
8 who uses an automated telephone system or device in
9 violation of this prohibition commits a Class E crime.

10

3867010588