

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 125

H.P. 90

House of Representatives, February 9, 1989

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

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative GURNEY of Portland.

Cosponsored by Representative TARDY of Palmyra and Senator BRANNIGAN of Cumberland.

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STATE OF MAINE

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

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An Act to Prohibit Automated Telephone Solicitation.

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

3 10 MRSA c. 223 is enacted to read:

5 CHAPTER 223

7 AUTOMATED TELEPHONE SOLICITATION

9  
11 §1496. Automated telephone solicitation prohibited;  
exceptions; penalties

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

19 A. Offering any goods or services for sale;

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

23 C. Soliciting information;

25 D. Gathering data and statistics; or

27 E. Promoting or any other use related to a political  
29 campaign.

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

35 A. Informing purchasers of the receipt, availability or  
delivery of goods or services or any delay or other  
37 pertinent information on the status of any purchased goods  
or services; or

39 B. Responding to a telephone inquiry initiated by any  
41 person.

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

45 **STATEMENT OF FACT**

47 This bill prohibits the use of automated telephone systems  
49 or devices for purposes of soliciting potential purchasers of  
goods or services, gathering data or information or for use in a

1 political campaign. The bill does not prohibit the use of  
2 automated telephone systems or devices to inform a person who has  
3 already purchased goods of the status of those goods or to  
4 respond to a consumer's inquiry. A person who uses an automated  
5 telephone system or device in violation of this prohibition  
6 commits a Class E crime.

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