

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 972, L.D. 1413, Bill, "An Act to Restrict Unsolicited Computer-generated or Automated Telephone Calls"

Amend the bill in section 1 in that part designated "~~§1499.~~" in the first paragraph in the 3rd line (page 1, line 9 in L.D.) by striking out the following: "customer of a telephone utility" and inserting in its place the following: 'telephone utility customer in this State'

Further amend the bill in section 1 in that part designated "~~§1499.~~" in the first paragraph by inserting at the end a new sentence to read: 'Violation of this section is an unfair trade practice under Title 5, section 207.'

Further amend the bill by striking out all of section 2 and inserting in its place the following:

**'Sec. 2. 35-A MRSA §7103 is enacted to read:**

**§7103. Automated calling procedures**

**1. Rulemaking.** The commission shall adopt rules to establish the following:

**A.** A notification procedure for any customer of a telephone utility who does not want to receive automated telephone calls pursuant to Title 10, section 1498; and

**B.** A procedure to prevent users of automated telephone calling devices from dialing the telephone numbers of customers who do not want to be called.

**2. Fees by telephone utilities.** A telephone utility may not charge a customer any fee for any action taken by the utility in response to the customer's request not to receive automated telephone calls.

FISCAL NOTE

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This bill requires the Public Utilities Commission to promulgate rules for notification and prevention procedures related to automated telephone calls. The costs associated with rulemaking can be absorbed within existing resources of the Public Utilities Commission.'

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STATEMENT OF FACT

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This amendment clarifies that the prohibition on the use of automated telephone devices to dial the number of a telephone utility customer who has requested not to receive automated telephone calls applies only to in-state telephone utility customers. This amendment adds a provision that makes violation of this prohibition punishable as an unfair trade practice. This amendment also adds a provision that prohibits telephone utilities from charging customers for receiving and responding to customer requests not to receive automated telephone calls.

This amendment also adds a fiscal note.

Reported by the Committee on Utilities  
Reproduced and distributed under the direction of the Clerk of the House  
(5/7/91) (Filing No. H-261)