

# MAINE STATE LEGISLATURE

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R d 2

L.D. 135

2 DATE: 5/5/95

(Filing No. H-214 )

4 REPORT A  
6 UTILITIES AND ENERGY

8  
10 Reproduced and distributed under the direction of the Clerk of  
12 the House.

14 STATE OF MAINE  
16 HOUSE OF REPRESENTATIVES  
18 117TH LEGISLATURE  
20 FIRST REGULAR SESSION

22 COMMITTEE AMENDMENT "A" to H.P. 100, L.D. 135, Bill, "An  
24 Act to Amend the Notification Requirements Regarding Automated  
26 Telephone Solicitation"

28 Amend the bill by striking out the title and substituting  
30 the following:

32 '**An Act Relating to Telephone Solicitation**'

34 Further amend the bill by striking out all of section 1 and  
36 inserting in its place the following:

38 '**Sec. 1. 10 MRSA c. 225** is amended by repealing the chapter  
40 headnote and enacting the following in its place:

42 **CHAPTER 225**

44 **TELEPHONE SOLICITATION**

46 **Sec. 2. 10 MRSA §1499**, as amended by PL 1993, c. 589, §1, is  
48 repealed and the following enacted in its place:

50 **§1499. Telephone solicitation**

A person or entity may not initiate a solicitation call to a residential telephone subscriber in this State who has notified that person or entity, pursuant to Federal Communications Commission Regulations, 47 Code of Federal Regulations, Part 64, Section 64.1200, Paragraph e, as in effect on January 1, 1995, of the subscriber's wish not to receive solicitation calls made by or on behalf of that person or entity. Violation of this section is an unfair trade practice under Title 5, section 207.'

**COMMITTEE AMENDMENT**

R 018

COMMITTEE AMENDMENT "A" to H.P. 100, L.D. 135

2 Further amend the bill by relettering or renumbering any  
nonconsecutive Part letter or section number to read  
consecutively.

4

6 Further amend the bill by inserting at the end before the  
statement of fact the following:

8

**FISCAL NOTE**

10

12 This bill may increase the number of civil suits filed in  
the court system. The additional workload and administrative  
costs associated with the minimal number of new cases filed can  
14 be absorbed within the budgeted resources of the Judicial  
Department. The collection of additional filing fees may also  
16 increase General Fund revenue by minor amounts.

18

**STATEMENT OF FACT**

20

22 This amendment, which is the majority report of the Joint  
Standing Committee on Utilities and Energy, repeals the  
requirement that persons who do not want to receive telephone  
24 solicitations employing automated calling devices inform their  
telephone utility.

26

28 This amendment incorporates federal law regarding telephone  
solicitation and makes violation of the federal prohibition an  
unfair trade practice. Under the amendment, a person may not  
30 place a solicitation call to a residential telephone subscriber  
who has notified the person that the subscriber does not want to  
32 receive solicitation calls from that person.

34

36 This amendment amends the title of the bill and the title of  
the chapter of law affected by this amendment, the Maine Revised  
Statutes, Title 10, chapter 225, to reflect the content of the  
amendment. The amendment also adds a fiscal note.

**COMMITTEE AMENDMENT**