

# 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)



# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

---

Legislative Document

No. 392

H.P. 312

House of Representatives, January 30, 2003

### An Act To Prohibit Use of Computerized Calls by Telemarketers

---

Reference to the Committee on Utilities and Energy suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DUDLEY of Portland.  
Cosponsored by Senator STRIMLING of Cumberland and  
Representatives: ADAMS of Portland, BLISS of South Portland, BULL of Freeport,  
COWGER of Hallowell, LAVERRIERE-BOUCHER of Biddeford, MAILHOT of Lewiston,  
PINGREE of North Haven, Senator: MAYO of Sagadahoc.

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

2  
4       **Sec. 1. 10 MRSA §1498, sub-§1, ¶A**, as enacted by PL 1989, c. 775, is amended to read:

6           A. "Automated telephone calling device" means any system or  
8           equipment that selects, dials or calls telephone numbers and  
          plays recorded or computer-generated messages.

10       **Sec. 2. 10 MRSA §1498, sub-§2**, as enacted by PL 1989, c. 775,  
12       is amended to read:

14           **2. Prohibition.** A Except as provided in subsection 6, a  
          person may not use an automated telephone calling device to make  
          solicitation calls to: any telephone number in this State.

16           A. ~~Any emergency telephone numbers in this State including,~~  
18           ~~but not limited to, the emergency telephone numbers of any~~  
          ~~hospital, physician, health care facility, ambulance~~  
20           ~~service, or fire or law enforcement officer or facility;~~

22           B. ~~Any paging or cellular phone within the State; or~~

24           C. ~~Any unlisted, unpublished, toll free long distance or~~  
          ~~direct inward dial telephone number within the State.~~

26       **Sec. 3. 10 MRSA §1498, sub-§3**, as amended by PL 1991, c. 524,  
28       §2, is further amended to read:

30           **3. Restriction.** A person making a permitted use of an  
32           automated telephone calling device pursuant to subsection 6 may  
          not use an automated telephone calling device to make  
34           solicitation calls to any telephone number in the State except  
          weekdays between 9 a.m. and 5 p.m., according to the time in this  
36           State, and may not complete more than one solicitation call to  
          any telephone number during each 8-hour period. In addition, the  
38           person using the device to place the call shall ensure that the  
          device disconnects no more than 5 seconds following the  
          disconnection of the telephone number called. A person making a  
40           permitted use of an automated telephone calling device pursuant  
          to subsection 6 may not use an automated telephone calling device  
42           to make solicitation calls to:

44           A. Any emergency telephone numbers in this State,  
46           including, but not limited to, the emergency telephone  
          numbers of any hospital, physician, health care facility,  
48           ambulance service or fire or law enforcement officer or  
          facility;

50           B. Any paging or cellular phone within the State; or

