

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 526

H.P. 411

House of Representatives, February 6, 2003

An Act To Ensure Domestic Tranquility

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KETTERER of Madison.
Cosponsored by Representatives: JENNINGS of Leeds, PERCY of Phippsburg, RINES of
Wiscasset.

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

4 Sec. 1. 36 MRSA c. 721 is enacted to read:

6 CHAPTER 721

8 TELEMARKETING FEE

10 §4841. Telemarketing fee

12 1. Fee imposed. Except as provided in subsection 2, a fee
14 of \$1 is imposed on each call made in connection with
16 telemarketing by a telemarketer, as defined in the Federal Trade
Commission Telemarketing Sales Rule, 16 CFR 310.2, to a
residential telephone subscriber in this State.

18 2. Exclusion. The fee imposed under subsection 1 does not
20 apply to a telemarketer whose primary place of business is
located in this State.

22 §4842. Payment of fee; report to assessor

24 1. Monthly report. Each telemarketer, except a
26 telemarketer described in section 4841, subsection 2, shall file
28 with the assessor, on or before the 15th day of each month, a
report on a form prescribed by the assessor that discloses the
number of calls subject to a fee under this chapter made during
the preceding calendar month and such other information as the
assessor requires. The assessor may permit the filing of reports
other than monthly.

32 2. Payment of fee. The fee imposed under this chapter must
34 be paid at the time of reporting pursuant to subsection 1. Fees
collected under this chapter must be deposited in the General
Fund.

36 §4843. Rules

38 The assessor may adopt rules necessary to implement this
40 chapter. Rules adopted pursuant to this chapter are routine
42 technical rules as defined in Title 5, chapter 375, subchapter
2-A.

44 **SUMMARY**

46 This bill imposes a \$1 fee on each telemarketing call made
48 by out-of-state telemarketers to residential telephone
subscribers in this State. The revenues from this fee are
50 deposited in the General Fund.