

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 242

S.P. 79

In Senate, January 16, 2007

### An Act To Establish a "Do Not Fax" List

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Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.

Cosponsored by Senators: BARTLETT of Cumberland, HOBBS of York, SMITH of Piscataquis, Representatives: FAIRCLOTH of Bangor, FLETCHER of Winslow.

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

2 **Sec. 1. 10 MRSA §1496, sub-§2**, as enacted by PL 1989, c. 758, is amended to  
3 read:

4 **2. Prohibition.** No person may initiate:

5 A. The unsolicited transmission of a telefacsimile message:

6 (1) Seeking charitable contributions; or

7 (2) Promoting real property, goods or services for purchase or rent by the  
8 recipient of such a message; or

9 B. The unsolicited transmission of a telefacsimile message to a telephone number  
10 that is listed on a "Do Not Fax" list of numbers maintained by the Office of the  
11 Attorney General.

12 **Sec. 2. 10 MRSA §1496, sub-§3**, as enacted by PL 1989, c. 758, is amended to  
13 read:

14 **3. Exception.** Subsection 2, ~~paragraph A~~, does not apply if the person initiating the  
15 transmission and the recipient have a contractual or business relationship and no request  
16 to cease any such transmission has been made by the recipient in writing or by  
17 telefacsimile message to the person initiating the transmission.

18 **Sec. 3. "Do Not Fax" List.** The Office of the Attorney General shall establish a  
19 "Do Not Fax" list of telephone numbers in this State of persons who do not want  
20 unsolicited telefacsimile transmissions. This list must be published in a form that is  
21 available to those initiating telefacsimile transmissions in order to allow them to ascertain  
22 if a telephone number is prohibited.

23 **SUMMARY**

24 This bill establishes a "Do Not Fax" list.