

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1014

H.P. 750

House of Representatives, March 10, 2011

An Act To Create the Children's Wireless Protection Act

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative BOLAND of Sanford.
Cosponsored by Senator BLISS of Cumberland and
Representatives: BERRY of Bowdoinham, HAYES of Buckfield, LAJOIE of Lewiston,
LOVEJOY of Portland, MALABY of Hancock, O'CONNOR of Berwick, PEOPLES of
Westbrook, TUTTLE of Sanford.

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

2 **Sec. 1. 22 MRSA c. 261-B** is enacted to read:

3 **CHAPTER 261-B**

4 **CHILDREN'S WIRELESS PROTECTION ACT**

5 **§1537. Short title**

6 This chapter may be known and cited as "the Children's Wireless Protection Act."

7 **§1538. Warning labels for cellular telephones**

8 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
9 following terms have the following meanings.

10 A. "Cellular telephone" means a device used to access a wireless telephone service.

11 **2. Warning label required.** A retailer of cellular telephones may not sell at retail in
12 this State a cellular telephone unless the cellular telephone and its packaging bear a
13 warning label that is at least the size of the manufacturer's label on the device, legible,
14 located in a prominent place that is conspicuous and not obscured by other written matter,
15 contrasts with the type, layout and color of the other printed matter, includes the
16 international symbol for nonionizing radiation, appears on both the front and back of the
17 packaging and contains the following statement:

18 "WARNING: Federal health safety standards have yet to be established for nonthermal
19 effects of cellular telephone radiation, which have been identified as reasons for health
20 safety concerns, such as brain tumors."

21 The requirements of this subsection may not result in a cost to the retailer of cellular
22 telephones. Manufacturers of cellular telephones must provide the labeling required
23 under this subsection to the retailers at no cost.

24 **3. Signs.** A retailer of cellular telephones must post a sign that is at least 8 1/2
25 inches by 11 3/4 inches in size where cellular telephones are displayed that reads:

26 "ADVISORY: Cellular telephones should be used with care.

27 1. Federal health safety standards have yet to be established for nonthermal effects of
28 cellular telephone radiation.

29 2. Nonthermal effects of cellular telephone radiation have been identified as reasons for
30 health safety concerns, such as brain tumors, fertility issues and other consequences of
31 genetic damage.

32 3. Avoid contact with head and body.

33 4. Avoid proximity to reproductive organs.

34 5. Limit use by children.

35 6. Pregnant women should avoid use."

