

MAINE STATE LEGISLATURE

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DMG
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L.D. 1013

Date: 2/21/14 Report A

(Filing No. H-618)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 711, L.D. 1013, Bill, "An Act To Create the Children's Wireless Protection Act"

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

'An Act To Create the Wireless Information Act'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

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

CHAPTER 261-B

THE WIRELESS INFORMATION ACT

§1537. Short title

This chapter may be known and cited as "the Wireless Information Act."

§1538. Labels for cellular telephones

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

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

2. Prominence of instructions. If a cellular telephone manufacturer includes guidelines or instructions or general information relating to radio-frequency exposure in any literature distributed or made available to consumers in connection with its products, the cellular telephone manufacturer shall ensure that:

A. The full language of the radio-frequency exposure guidelines or instructions or general information is plainly visible on the outside of the product packaging; or

B. A label is plainly visible on the outside of the product packaging alerting consumers to the radio-frequency exposure guidelines or instructions or general

COMMITTEE AMENDMENT

1 information. The body of the notice must be in letters not less than 1/16 inch in
 2 height. The initial words "RF EXPOSURE" must appear in capital letters and in bold
 3 type at least 1/8 inch in height, followed by: "To find information relating to radio-
 4 frequency exposure, refer to information supplied by the manufacturer" and language
 5 directing consumers to the page or pages of the owner's manual or other insert or
 6 location where the radio-frequency exposure guidelines or instructions or general
 7 information may be found.

8 **3. Violation.** A violation of this chapter is a violation of the Maine Unfair Trade
 9 Practices Act.'

SUMMARY

10
 11 This amendment replaces the bill. It requires that any notification related to radio-
 12 frequency exposure supplied by a cellular telephone manufacturer must have the
 13 language of the notification plainly visible on the outside of the product packaging or a
 14 label, plainly visible on the outside of the product packaging, directing the consumer
 15 where to find the information. A violation of this provision is a violation of the Maine
 16 Unfair Trade Practices Act.

FISCAL NOTE REQUIRED

(See attached)



126th MAINE LEGISLATURE

LD 1013

LR 12(02)

An Act To Create the Children's Wireless Protection Act

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-618)

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Increases the number of civil cases.

The collection of additional filing fees may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

The Department of the Attorney General will incur additional litigation costs. The cost of expert witnesses is estimated to range from \$25,000 to \$100,000. The exact amount required in any fiscal year cannot be determined at this time.