

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1379

S.P. 544

In Senate, March 28, 2023

An Act to Combat Unwanted Telephone Solicitations

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

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

2 **Sec. 1. 10 MRSA c. 225-A** is enacted to read:

3 **CHAPTER 225-A**

4 **CELLULAR TELEPHONE DO-NOT-CALL REGISTRY ENROLLMENT**

5 **§1499-C. Cellular telephone do-not-call registry enrollment**

6 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the
7 following terms have the following meanings.

8 A. "Division" means the Department of the Attorney General, consumer protection
9 division.

10 B. "Registry" means the do-not-call registry maintained by the division that lists the
11 names of persons who do not wish to receive telephone sales calls.

12 C. "Retail transaction" means a transaction in which a customer purchases a wireless
13 telephone service from a wireless telephone service provider and the customer is
14 assigned a telephone number.

15 D. "Telecommunications carrier" has the same meaning as in 47 United States Code,
16 Section 153(51) as in effect on January 1, 2023.

17 E. "Telephone sales call" means a solicitation call made to a customer for:

18 (1) Solicitation of a sale of consumer goods or services; or

19 (2) Obtaining information that will or may be used for the direct solicitation of a
20 sale of consumer goods or services or an extension of credit for such purposes.

21 F. "Wireless telephone service" means any mobile telecommunications services as
22 defined in Title 35-A, section 102, subsection 9-A.

23 G. "Wireless telephone service provider" means a telecommunications carrier that
24 provides wireless telephone service.

25 **2. Point of sale requirements.** At the time of engaging in a retail transaction in the
26 State, a wireless telephone service provider shall:

27 A. Advise the customer that the wireless telephone service provider will submit the
28 customer's telephone number to the division for inclusion in the registry unless the
29 customer opts out of the inclusion of the customer's telephone number in the registry
30 in writing; and

31 B. Provide the customer with a form that the customer may sign to opt out of having
32 the customer's telephone number included in the registry.

33 **3. Registry.** If a customer does not opt out of the inclusion of the customer's telephone
34 number in the registry, the wireless telephone service provider shall submit the customer's
35 telephone number to the division within 30 days of the retail transaction. If a customer opts
36 out of inclusion in the registry, the wireless telephone service provider may not submit the
37 customer's telephone number to the division.

