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ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 602, L.D. 883, Bill, “An Act To Create the Cellular Telephone Labeling 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

CELLULAR TELEPHONE LABELING ACT

§1537. Short title

This chapter may be known and cited as "the Cellular Telephone Labeling Act."

§1538. Disclosure 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 safety notifications on product packaging. If a cellular telephone manufacturer includes safety notifications in its owner's manual, the cellular telephone manufacturer shall ensure that the statement "This device emits radiofrequency electromagnetic fields" is included in the owner's manual or as an insert in the owner's manual and:

A. The full language of the safety notifications 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 customers to the safety notifications. The body of the notice must be in letters not less than 1/16 inch in height. The initial words "SAFETY NOTICE" must appear in capital letters and in bold type at least 1/8 inch in height, followed by the words "See

COMMITTEE AMENDMENT

1 Inside Regarding Safe Use of This Product" and language directing consumers to the
2 page or pages of the owner's manual where the safety notifications may be found.

3 **3. Disclosure label required.** If a cellular telephone manufacturer does not include
4 safety notifications within its owner's manual, that cellular telephone manufacturer shall
5 ensure that on the outside of the product packaging the word "DISCLOSURE" appears in
6 capital letters in bold type at least 1/8 inch in height, followed by the statement, "This
7 device emits radiofrequency electromagnetic fields." in letters not less than 1/16 in
8 height.

9 **4. No cost to retailers.** A cellular telephone manufacturer shall provide any
10 disclosure labels required under subsection 2 or 3 to retailers at no cost.

11 **5. Violation.** A violation of this chapter is a violation of the Maine Unfair Trade
12 Practices Act.'

13 **SUMMARY**

14 This amendment is the minority report of the committee. This amendment requires
15 disclosure labels for cellular telephones instead of warning labels. The amendment
16 removes requirements for retailers from the bill regarding warning labels and information
17 bulletins for cellular telephones and no longer prohibits a retailer from selling cellular
18 telephones in the State that do not comply with the requirements of the bill. The
19 amendment changes the information required on product packaging and creates a new
20 disclosure requirement for those cellular telephone manufacturers that do not include
21 safety notifications within their owner's manual.

22 **FISCAL NOTE REQUIRED**

23 **(See attached)**