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Testimony of Rep. Jan Dodge presenting

LD 511, An Act to Require Telephone Service Providers To Provide at No Cost to Customers Services Designed to Reduce the Number of So-called Robocalls and Automatically Dialed Telephone Calls

Before the Joint Standing Committee on Energy, Utilities and Technology

Good morning, Senator Lawrence, Representative Berry and esteemed members of the Energy, Utilities and Technology Committee. I am Representative Jan Dodge of House District 97 which includes Belfast, Northport and Waldo. I am here to present **LD 511, An Act to Require Telephone Service Providers To Provide at No Cost to Customers Services Designed To Reduce the Number of So-called Robocalls and Automatically Dialed Telephone Calls.**

Legislative service is often judged by the degree of success in solving constituent problems. I am here today to present this bill and ask for your support in beginning to solve the problem of robocalls for the people of Maine. You know what I am talking about.

The problem of inappropriate use of a utility has a long history of attempted federal fixes such as the Telephone Consumer Protection Act of 1991 and the Truth in Caller ID Act of 2010. In May 2019, the Telephone Robocalls Abuse Criminal Enforcement and Deterrent, or the TRACED Act, increased the fines the Federal Communications Commission (FCC) can impose and lengthened the statute of limitations. In July 2019, there was the Stopping Bad Robocalls Act, and earlier this month Senator Collins joined colleagues in proposing the Anti Spoofing Penalties Modernization Act which proposes to double previously set penalties. This was announced on March 4th, which was declared “Slam the Scam” Day.

In the 129th Legislature, the Governor signed Senator Chenette’s bill that classified robocalls as an unfair trade practice for a telemarketer to misrepresent their phone number or utilize an artificial voice. But this is not enough. Last year I got a robocall from my own phone number!

The National Council of State Legislators has recently advised states to take their own actions to protect citizens. I called my phone provider and asked if they had technology to reduce or eliminate unwanted calls. I asked about cost. It was free. I requested the service and my robocalls

were instantly reduced. Service providers have the technology. I submitted the original bill language. Maine was on the way to quieter evenings and scam reduction!

Enter Margot Saunders, Senior Counsel at the National Consumer Law Center in Washington, D.C. When I asked for advice, she shared that several months ago the TRACED Act added a new rule, subsection 227(j) to the Telephone Consumer Protection Act (47 USC 227). This new rule requires the FCC to ensure that robocall blocking services are provided and Section 227(j)(1)(B) requires that the blocking services “are provided with no additional line charge to the consumers.” This was challenged as making a requirement of service without compensation.

She stated, “the real problem is that the FCC Order does not require all telephone service providers – especially those operating in rural areas – to implement the blocking requirements. As a result, many lower income consumers who rely on their landline telephones are most vulnerable to unstoppable telemarketing and scam calls. Your bill would provide real protections for Maine consumers if it mandated the blocking services.”

This bill aims to fix this. Today, I am including an amendment to this bill that changes the title and clarifies that a telephone utility must inform each subscriber as to the nature and cost of any such service offered that is designed to reduce the number of calls received by a subscriber that are made using an automated telephone calling device or an artificial or prerecorded voice. This amendment also clarifies that a telephone utility must describe how the subscriber may elect to enroll in or take advantage of such service. Finally, the amendment provides that a telephone utility must offer any such service at a reasonably affordable cost to all subscribers in the State.

I urge the committee to please pass LD 511 as amended. Let’s use technology to improve telephone service by reducing the number of robocalls Maine citizens receive. Thank you.