

HOUSE BILL NO. 109

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BROWN, Navarre, B.Davis

Introduced: 1/23/95

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to telephone directory listings and solicitations."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 45.50.471(b) is amended by adding a new paragraph to read:

4 (38) failing to comply with AS 45.50.475.

5 * **Sec. 2.** AS 45.50 is amended by adding a new section to read:

6 Sec. 45.50.475. UNLAWFUL UNWANTED TELEPHONE SOLICITATION.

7 (a) A person is in violation of AS 45.50.471(b)(38) if the person engages in the
8 telephone solicitation of a residential telephone customer of a telecommunications
9 company and the customer is identified in the telephone directory as not wishing to
10 receive telephone solicitations.

11 (b) A local exchange telecommunications company and a company that
12 provides a telephone directory on behalf of a local exchange telecommunications
13 company shall provide for the identification in the telephone directory of those
14 residential customers who do not wish to receive telephone solicitations.

15 (c) Local exchange telecommunications companies shall inform residential

1 customers of the provisions of this section. Notification may be made by

2 (1) annual inserts in the billing statements mailed to residential
3 customers; or

4 (2) conspicuous publication of the notice in the consumer information
5 pages of local telephone directories.

6 (d) In this section,

7 (1) "customer" means a residential telephone customer of a
8 telecommunications company;

9 (2) "telephone solicitation"

10 (A) means the solicitation by a person by telephone of a
11 customer at the residence of the customer for the purpose of encouraging the
12 customer to purchase property, goods, or services, or make a donation;

13 (B) does not include

14 (i) calls made in response to a request or inquiry by the
15 called customer;

16 (ii) calls made by a charitable organization, a public
17 agency, or volunteers on behalf of the charitable organization or public
18 agency to members of the organization or agency or to persons who
19 have made a donation to the organization or agency or expressed an
20 interest in making a donation;

21 (iii) calls limited to polling or soliciting the expression
22 of ideas, opinions, or votes;

23 (iv) business-to-business calls; or

24 (v) a person soliciting business from prospective
25 purchasers who have previously purchased from the person making the
26 solicitation or from the business enterprise for which the person is
27 calling.