

CS FOR HOUSE BILL NO. 109(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 5/4/95

Referred: Judiciary

Sponsor(s): REPRESENTATIVES BROWN, Navarre, B.Davis

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) A local exchange telecommunications company shall, upon request, provide

1 to a person who engages in telephone solicitation a list of all telephone numbers
2 identified in the telephone directory as residential customers who do not wish to
3 receive telephone solicitations. If possible and if requested by the person who engages
4 in telephone solicitation, this list shall be provided in computer readable format.

5 (d) Local exchange telecommunications companies shall inform residential
6 customers of the provisions of this section. Notification may be made by

7 (1) annual inserts in the billing statements mailed to residential
8 customers; or

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

11 (e) In this section,

12 (1) "customer" means a residential telephone customer of a
13 telecommunications company;

14 (2) "telephone solicitation"

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

18 (B) does not include

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

21 (ii) calls made by a charitable organization, a public
22 agency, or volunteers on behalf of the charitable organization or public
23 agency to members of the organization or agency or to persons who
24 have made a donation to the organization or agency or expressed an
25 interest in making a donation;

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

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

29 (v) a person soliciting business from prospective
30 purchasers who have previously purchased from the person making the
31 solicitation or from the business enterprise for which the person is

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calling.