

HOUSE BILL NO. 54
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BROWN, Navarre

Introduced: 1/14/93

Referred: Labor & Commerce, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to eavesdropping, telephone caller identification, and telephone
2 directory listings and solicitations."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 42.05 is amended by adding a new section to read:

5 Sec. 42.05.335. CALLER IDENTIFICATION SERVICES AND CALL
6 BLOCKING. (a) A telephone utility may not offer a caller identification service
7 unless the utility also offers customers, without charge to the customer, service that
8 prevents the subscriber who has a caller identification service from reading the number
9 of the calling party on a per line and per call basis.

10 (b) In this section, "caller identification" means a display unit that allows a
11 subscriber to read the telephone number of a calling party.

12 * Sec. 2. AS 42.20.310(a) is amended to read:

13 (a) A person may not

14 (1) use an eavesdropping device to hear or record all or any part of an

- 1 oral conversation without the consent of each [A] party to the conversation;
- 2 (2) use or divulge any information that [WHICH] the person knows
- 3 or reasonably should know was obtained through the illegal use of an eavesdropping
- 4 device for personal benefit or another's benefit;
- 5 (3) publish the existence, contents, substance, purport, effect, or
- 6 meaning of any conversation the person has heard through the illegal use of an
- 7 eavesdropping device;
- 8 (4) divulge, or publish the existence, contents, substance, purport,
- 9 effect, or meaning of any conversation the person has become acquainted with after
- 10 the person knows or reasonably should know that the conversation and the information
- 11 contained in the conversation was obtained through the illegal use of an eavesdropping
- 12 device.

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

14 (33) failing to comply with AS 45.50.475.

15 * Sec. 4. AS 45.50 is amended by adding a new section to read:

16 Sec. 45.50.475. UNLAWFUL TELEPHONE SOLICITATION IF PARTY

17 IDENTIFIED IN TELEPHONE DIRECTORY. (a) A person is in violation of

18 AS 45.50.471(b)(33) if the person engages in the telephone solicitation of a party and

19 that party is identified in the party's telephone directory as a party that does not wish

20 to receive telephone solicitations.

21 (b) A telecommunication company shall provide for the identification of those

22 parties in a telephone directory who do not wish to receive telephone solicitations.

23 (c) The Alaska Public Utilities Commission shall, by regulation, require that

24 telecommunications companies inform parties of the provisions of this section.

25 Notification may be made by

26 (1) annual inserts in the billing statements mailed to parties; or

27 (2) conspicuous publication of the notice in the consumer information

28 pages of local telephone directories.

29 (d) In this section,

30 (1) "party" means a residential telephone customer of a

31 telecommunications company;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

(2) "telephone solicitation"

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

(B) does not include

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

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

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

(iv) business-to-business calls; or

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