

MINUTES OF THE SENATE COMMERCE COMMITTEE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on January 12, 2000 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Lynne Holt, Legislative Research Department
Jerry Ann Donaldson, Legislative Research Department
Bob Nugent, Revisor of Statutes
Betty Bomar, Secretary

Conferees appearing before the committee:
Steve Rarrick Deputy Attorney General
Dean Gilstrap, AARP

Others attending: See attached list

Lynne Holt, Legislative Research Department briefed the Committee on a survey conducted by the National Association of Attorneys General in November 1999 of 16 states who have no-call list programs. Ms. Holt stated the majority of state laws are enacted to augment and strengthen the federal Telecommunications Consumer Protection Act of 1991 and the rules promulgated by the Federal Communications Commission to reduce the number of unsolicited phone calls.

No-call laws vary in the number and type of exemptions from the prohibition governing solicitations. As an example, Georgia's law includes four exemptions, while Alabama's law exempts 25 types of solicitations and Kentucky's law has 22 exemptions. Ms. Holt stated that the method of funding no-call list programs and penalties for violators vary considerably among states. Ms. Holt stated implementation of no-call legislation costs money for development and maintenance of a database, accounting activities, and enforcement. If there are too many exemptions to the no-call prohibition in state laws, no-call list programs will not be effective. ([Attachment 1](#))

Steve Rarrick, Deputy Attorney General, testified that the Attorney General supports the concept of "no call" legislation. However, colleagues in other states have warned that to be effective, the legislation must have few exceptions; the definition of "an existing or previous business relationship" must establish a definite time limit; and the enforcement program must be adequately staffed. ([Attachment 2](#))

Dean Gilstrap, AARP, presented the reasons that AARP is strongly in favor of "no-call" legislation. ([Attachment 3](#))

The meeting adjourned at 9:00 a.m.

The next meeting is scheduled for January 13, 2000