

NEWS

Residents on state do-not-call list put on U.S. list

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Floridans have had the opportunity to block most telemarketing phone calls for a fee since 1990, when the Legislature created the No Sales Solicitation Call List.

But starting on Oct. 1, a free national Do Not Call Registry will be enforced, blocking most telemarketing phone calls for those who sign up. As of Wednesday, the list contained 28 million telephone numbers.

Floridans currently registered on the state's list do not need to sign up for the national list because their names and numbers will be forwarded to the federal list, said Beth Evans, a regulatory consultant for the Florida No Sales Solicitation Program.

The Florida list, which requires a \$10 initial fee and \$5 renewal fee for every additional year, blocks almost all the same types of telemarketing as the national list, Evans said.

The exceptions include: the state allows companies to call if they've had a previous relationship, and doesn't set a time limit to the relationship; the federal list - which is handled by the Federal Trade Commission - allows a business to call only within 18 months of the business relationship, she said.

Also, the state allows newspaper companies to call and the national list doesn't, unless the newspaper company has had a business relationship with the caller within the past 18 months, she said.

Both lists still allow political candidates and parties, charitable organizations and telephone surveyors to call. Both allow telemarketers to call if the solicitor has an existing business relationship. Solicitors also can call in reference to existing debt, contract, payment or performance, and in response to a request by the person called, Evans said.

Evans said the state program will continue to charge the fee because the Division of Consumer Services, Florida Department of Agriculture and Consumer Services will continue to enforce the state law.

Under state law, after 10 complaints against a telemarketer, the telemarketer is sent a letter of non-compliance. If the complaints continue, legal procedures begin, she said.

"We can't enforce a complaint that doesn't go through our office," Evans said. "And we can't enforce federal law."

She said there are 169,569 phone numbers registered on the state list, and the complaints filed with the state are enforced.

The program has collected \$800,000 from violators since 1990, mainly through court settlements, Evans said.

Bill Newton, executive director of the Florida Consumer Action Network, said he's unsure if the do-not-call lists will benefit consumers.

"There's no question marketers will use some other way to get access," Newton said.

He said, for example, most of the telemarketing calls he gets are from companies that he already does business with, such as his phone company, calling about long-distance rates.

Newton said he's also concerned that telemarketing companies will have to lay off workers in an already tough economy because of the decrease in phone numbers to solicit, and taxpayers will have to pay unemployment costs of the laid-off workers.

Also, he noted the national list isn't exactly "free."

"It's taxpayer-subsidized because they're paying costs of keeping the list and Web site updated," Newton said.

That's why he said he's unsure if the do-not-call lists are worth the unanticipated problems that may come with them.

For more information on the state's list, call (800) 435-7352, or the national registry, visit www.donotcall.gov or call (888) 382-1222 from the number the caller wants registered.