



Alaska State Legislature House and Senate Democrats

www.akdemocrats.org

FOR IMMEDIATE RELEASE • January 7, 2003

CONTACT: Jordan Marshall • (907) 465-3842, Toll-free (888) 465-4919, Cell: 321-3682

Fax: 465-5125, Jordan_Marshall@legis.state.ak.us

Gara and Ellis Move to Stop Junk E-Mail

Moving Alaska Forward 2003

ANCHORAGE — Today state Representative-elect Les Gara (D-Anchorage) has prefiled a bill to arm Alaskans with the power to fight and stop unwanted junk e-mail, or "spam." Senate Minority Leader Johnny Ellis (D-Anchorage) will file a parallel bill in the Alaska Senate. According to Representative-elect Gara, "The Internet should save people time, not waste it. Unwanted e-mails steal our free time and invade our privacy at home." It has been estimated that junk e-mail costs American businesses \$8.9 billion a year in wasted work time — USA Today, Jan. 3, 2003, *Study, Spam Costs U.S. Corporations \$8.9 Billion per year*. Gara says, "Like citizens of other states, Alaskans deserve the right to demand an end to harassing junk e-mails. And if the state won't help them, they need the tools to stop junk e-mail on their own."

Roughly half the states have enacted anti-spam laws to protect their citizens. Alaska currently has no law banning or regulating unwanted e-mail.

The parallel House and Senate bills pushed by Gara and Ellis provide both the state Attorney General's Office and individual Alaskans the right to demand that companies allow them to unsubscribe from any e-mail list using their name. The bills provide for penalties if a commercial e-mail does not provide a way for a consumer to have their e-mail address removed from the sender's list. Furthermore, penalties are provided if a consumer's request to have their e-mail address removed from a spam list is not honored. In addition, consumers will have the right to recover any damages they suffer, and any court and attorney costs they incur if they have to hire an attorney to enforce their rights.

Recent editorials in the New York Times and other publications have endorsed efforts similar to the bill being proposed by Gara and Ellis. See *New York Times Editorial, September 13, 2002*. The Anchorage Daily News has also recently written about junk e-mail abuse (Dec. 30, 2002). In addition, representatives of both the Federal Trade Commission and Internet rights advocacy group CAUCE (Coalition Against Unsolicited Commercial E-Mail) have decried the practice of companies that have abused, rather than honored consumer requests to have their e-mail addresses removed.

According to Gara, "this should be a law that receives the Legislature's support. It will be effective, and it does not require government spending to enforce." On a related point, Gara will also ask the Legislature to consider allowing the state to recover all of its attorney's fees and costs when it enforces Alaska's consumer rights law against proven violators. "When a business engages in dishonest activities, it should pay for the costs it forces the state to incur in enforcing the law."

If you would like further information please contact Les Gara at 274-0730, or Johnny Ellis at 269-0169.

###

Moving Alaska Forward • Jobs and Families 2003

Sen. Bettye Davis, Sen. Johnny Ellis, Sen. Kim Elton, Sen. Lyman Hoffman, Sen. Hollis French, Sen. Gretchen Guess, Sen. Georgianna Lincoln, Sen. Donny Olson, Rep. Ethan Berkowitz, Rep. Sharon Cissna, Rep. Harry Crawford, Rep. Eric Croft, Rep. Les Gara, Rep. Max Gruenberg, Rep. David Guttenberg, Rep. Reggie Joule, Rep. Mary Kapsner, Rep. Beth Kerttula, Rep. Albert Kookesh, Rep. Carl Moses