



Association of Directory Publishers

R. Lawrence Angove
President & CEO

Montana House Bill 461: Opt Out

February 25, 2011

To: All ADP Members

Fr: Larry

Re: Proposed Opt-Out Legislation

It happened so quickly that I can only tell you about what happened after the fact.

The industry learned early last week that the Montana Legislature's Committee on Business and Labor was scheduled to hold a hearing on House Bill 461, which would have required telephone directory companies to maintain an opt-out database with a toll-free number and web site to accept opt-out requests. The legislation also would have required that the opt-out procedure be clearly printed on the front cover, inside front cover, or rear cover and that opt-out requests would have to be honored for five (5) years unless the requesting party rescinded the request. For multi-unit residences, publishers would have been limited to delivering the number of directories equal to the number of units minus the number of opt-out requests. Fines for violation would have been up to \$500 per infraction.

Amy Healy of YPA spoke with the bill sponsor prior to the hearing to inform her that the industry was already complying with the intent of HB 461 through its website, www.yellowpagesoptout.com. I flew to Helena to testify before the Committee at its Thursday, February 17 meeting, as did representatives of ADP Publisher Member Northern Directory Publishers of Great Falls.

The bill was tabled the next day. Since the Montana Legislature meets for 90 days every other year, it would appear that the legislation is dead for this session.

I have said many times that an effective website will be our best defense against the growing number of proposed state and municipal ordinances. There is no better evidence than what just happened in Montana. Get and stay on board!