

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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is a procedure that is now placed into statute, which gives the Public Service Commission the authority to enforce slamming complaints through an administrative penalty, a slamming complaint system, along with the ability to enforce the act.

PRESIDENT MAURSTAD: Thank you, Senator Peterson. For discussion on the committee amendment...Mr. Clerk.

CLERK: Mr. President, Senator Landis would move to amend the committee amendments. (See AM0816 found on pages 992-995 of the Legislative Journal.)

PRESIDENT MAURSTAD: Senator Landis, you're recognized to open on your amendment to the committee amendments.

SENATOR LANDIS: Thank you very much. I believe this is identified as Amendment 816, Mr. Clerk. Thank you very much. There are a few changes in the committee amendments that have been brought to Senator Peterson and myself by the industry, and since this...one of the things they were the most concerned over was the section of loading, this actually wound up coming to me, because that's an interest that I had in the bill that ultimately got into LB 150. If you were to look at AM0816, you would see the rest of the bill recited. The new ideas occur on page 1, line 12. It says: Except as provided in Section 86-808. What that means is that this doesn't apply to wireless telephones, and the reason is because of the programming that goes into it. And that provision was made simply to clarify what was always the preexisting intent, but this makes it clearer. There's a second new piece in this language with respect to the committee amendments, and that's page 1, lines 18 and 19: Except when a subscriber initiates or changes service by contacting the telecommunications company directly. It's possible, somebody would call up and say, gosh, I want to switch. Well, that is not a slam by any means, and so that phenomenon, which was heretofore unrecognized in the rest of the bill, is now recognized in that situation. Of course, there is the question of proof, and I think Senator Bromm and I will have some questions and answers to make clear what the legislative intent here is. On page 2 in line 15, there is the use of the word "confirmation" instead of "verification", the appropriate legal language to use. There is one area that has