

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 29, 2000 LB 1317

credit union, will your savings and loan company, will people that are now holding private, personal information on your consumption patterns be free to sell that information unless you object or, in the alternative, must they get your permission before they sell that information? We had a bill related to this over in the Banking Committee. Now I'll happen to tell you that the bill died, and I happened to vote along with others to kill the bill. I thought it was overreaching, it was Senator Kiel's bill, but it said this among other things, the rule in Nebraska for financial institutions will be to "opt-in" rather than to "opt-out", so that your financial records, you have to affirmatively agree before somebody can start passing those around. That part of the bill I happened to agree with. I thought it was overreaching, and I expect some day to have this issue come back. On that day I want us to remember what rule we chose for ourselves, and the rule that Curt Bromm and the Transportation Committee is suggesting to us is when we hold sensitive, personal information, we won't give it away unless somebody affirmatively authorizes us to do it, and I think that's the right rule. I'm delighted to get a chance to vote for these committee amendments and for LB 1317. And a day will come when private organizations out here will tell us oh, no, no, no, no, that's too much, that's too difficult; let us sell this information. But, of course, in those four or five pages, in the annual report that we send with your credit card, if you're sharp-eyed enough to see that there's an "opt-out" provision that you can fill out and send back, you can do it. That's what we're going to get asked to do over and over again. And I'll tell you today is the day the state of Nebraska has made the right ruling. And I hope we remember it when other people who control this kind of information tell us that we should change the shoe to the other foot and make it be an "opt-out" provision which gives the consumer a lot tougher row to hoe, increases their level of oversight tremendously and their responsibility. I think "opt-in"...

SENATOR CROSBY: One minute.

SENATOR LANDIS: ...is the right approach, and I applaud LB 1317. I want us to remember it when other big, powerful people come back to us and say, oh no, no, no, "opt-out" is the right rule. "Opt-in" in the best rule on privacy and I'm glad