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FLOOR DEBATE

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SENATOR SCHIMEK:      It will be laid over.      Thank you.      Other discussion on the bill?      Senator Redfield.

SENATOR REDFIELD:      Thank you, Senator Schimek, members of the body. I had my light pushed before. And I wanted to address the issue, because in fact the citizenry is clamoring for something such as this. When we do it, we better do it right, or we haven't even begun to see anger. Because in fact, if our citizens pay their \$3 fee, and the phone still rings, we're going to hear about it. I guarantee you, you are going to hear about it. Now, in the bill itself, in Section 13, there is an issue dealing with the interstate calls. It's a commerce issue. It's something that we can't deal with under the US Constitution here at the state level. Only the federal government can actually deal with that. Can we fix it actually within the state? Yes we can. We can deal with intrastate calls. And that's what the bill is talking about. And I think that's a necessary piece. I think we need to have some action on the intrastate calls. But the reality is, without federal action, our creation of something would only mean that Nebraska telemarketers would make their calls to the other states, and our telemarketing companies would open a storefront across the river in Council Bluffs to call Nebraskans. And they could do that legally. That's why we need federal action to really solve the problem. If the federal provision is going into effect July 1, it would behoove us to put an implementation date that is after that, so that in fact we're not duplicating the effort, we're not, as Senator Bourne talks about, increasing the cost to our government, and certainly to our citizens. Because free is always better to our citizens. I think that's a better proposal. We need to delay the implementation. And then what we really need to do is create some kind of language that says, thou shalt honor the federal list, do-not-call list, under penalty of Nebraska law. That would take care of the intrastate calls as well, so that then we would use the mechanism that's been created by the federal government, our people wouldn't have to pay the fee, as Senator Baker sounds like he is supporting, and in fact we would deal with the commerce clause issue, we would deal with the intrastate calls. Now, we've had another issue that's come up on the floor, and that's the nonprofit, the charitable organizations. And again, when we had an example