

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

May 27, 2003

LB 743A, 743

been...has not been adopted, so we don't really know what the final version of that bill is going to cost. But again, if you recall, we've had some significant debate or some debate on this on General File and then here on Select for a couple of hours and I raise my opposition to the bill and just to kind of remind everyone, I wanted to let you know again, why this bill is not needed. First of all, as I mentioned before, the federal government will have a program in effect on July 1 of this year, and that's for both companies, companies under the control of both the FTC and the FCC. So, since the federal government is doing this, I don't think we need to do this bill at all, and it seems to me that what we should do is lay it over. And again, if you remember, I do have a bracket motion on LB 743 itself to lay it over to next year. Let's wait and see if the federal program is working. So that's reason number one--the federal government is going to take care of this problem. And I admit to you that it is a problem that a lot of constituents want to solve, but again, the federal government is going to do this. Reason number two is the Attorney General's Office already provides a mechanism on how to stop these calls. Now I will grant you that it does not stop 100 percent of these calls, but according to the consumer people in the...consumer protection people in the AG's Office, they indicate that it will stop about 99 percent of these calls. That's not bad, 99 percent, and all it costs is 37 cents, or the cost of a stamp. It doesn't cost \$100,000. So that's reason number two--the AG's Office is already taking care of this problem. And perhaps in this bill we just need to better advertise the Attorney General's program to stop these. I also want to remind you that 24 states had adopted do-not-call lists prior to the FTC's announcement of a national do-not-call list, and since then no state has adopted a law that calls for a do-not-call list. So, while 24 states did that prior to the FTC releasing the news that they were going to adopt this list, no states have adopted legislation since then. And why is that? Because it's duplicative. It's not necessary. States do not need to adopt rules and regs that mimic what the federal government is doing. That's reason number four. Number five, I wanted to also mention to you that three states who passed rules or passed laws to adopt a statewide do-not-call list have actually abandoned those plans, and they're waiting to see how well the federal government's national do-not-call list