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TESTIMONY -- AB 232
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR
MONDAY, MARCH 10, 2003

GOOD AFTERNOON, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. FOR THE RECORD MY NAME IS LARRY SPITLER AND I'M THE ASSOCIATE STATE DIRECTOR FOR AARP NEVADA.

AARP IS A NONPROFIT, NONPARTISAN MEMBERSHIP ORGANIZATION DEDICATED TO MAKING LIFE BETTER FOR PEOPLE 50 AND OVER. WE PROVIDE INFORMATION AND RESOURCES; ENGAGE IN LEGISLATIVE, REGULATORY AND LEGAL ADVOCACY; ASSIST MEMBERS IN SERVING THEIR COMMUNITITES; AND OFFER A WIDE RANGE OF UNIQUE BENEFITS, SPECIAL PRODUCTS AND SERVICES FOR OUR MEMBERS. WE HAVE OVER 258,000 MEMBERS IN NEVADA.

WITH ME TODAY ARE SEVERAL AARP NEVADA VOLUNTEERS IN THE AUDIENCE, AND IF I MAY, MR. CHAIRMAN, I'D LIKE TO ASK THEM TO STAND.

AND, WITH ME AT THE TABLE IS DORIS ALCORN, A LONG TIME AARP VOLUNTEER AND OUR ADVOCACY CONSUMER ISSUE LEAD. DORIS HAS WORKED ON THIS ISSUE FOR SOME TIME AND IS READY TO ADDRESS THE COMMITTEE CONCERNING AARP'S SUPPORT OF AB 232. DORIS.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, FOR THE RECORD MY NAME IS DORIS ALCORN AND I AM VERY HAPPY TO GIVE OUR

ASSEMBLY COMMERCE & LABOR 103
DATE: 3/10/03 ROOM: 4100 EXHIBIT E
SUBMITTED BY: Larry Spitler

SUPPORT TO AB 232. IT IS A LONG AWAITED BILL FOR OUR MEMBERSHIP. WHILE TELEMARKETERS AFFECT US ALL, OVER HALF THE NUMBER OF PEOPLE TARGETED ARE 50 AND OLDER. WE BELIEVE CONSUMERS SHOULD HAVE THE RIGHT TO PRIVACY IN THEIR HOMES FROM UNSOLICITED CALLS AND OBVIOUSLY SO DO CITIZENS IN MANY OTHER STATES, SINCE OVER 30 STATES HAVE INSTITUTED REGISTRIES THAT PROHIBIT UNSOLICITATED CALLS.

WE APPLAUD THE SPONSORS OF THIS BILL FOR HAVING INCLUDED MANY KEY OBJECTIVES THAT AARP OVERWHELMINGLY SUPPORT.

MORE THAN 150,000 TELEMARKETING FIRMS MAKE UNSOLICITATED CALLS TO MILLIONS OF PEOPLE EVERY DAY. APPROXIMATELY 10 PERCENT OF THESE CALLS COME FROM FRADULENT TELEMARKETERS. CONGRESS ESTIMATES THAT THE PROFITABLE TELEMARKETING INDUSTRY COSTS AMERICAN CONSUMERS MORE THAN \$40 BILLION A YEAR.

FRADULENT TELEMARKETING CALLS TYPICALLY TARGET MINORITY AND LOWER-INCOME COMMUNITIES AND THE ELDERLY. IN ONE CASE THE FBI FOUND FRADULENT TELEMARKETERS WERE DIRECTING NEARLY 80 PERCENT OF THEIR CALLS TOWARD OLDER CONSUMERS.

SURVEYS SHOW THAT CONSUMERS OVERWHELMINGLY FIND TELEMARKETING CALLS TO BE ANNOYING AND OBTRUSIVE, AND THAT THEY SUPPORT CREATION OF STATEWIDE "DO NOT CALL" LAWS.

IN NEVADA AARP STAFF AND VOLUNTEERS ARE URGING LEGISLATORS TO PASS "DO NOT CALL" LEGISLATION DURING THIS SESSION.

AARP IS WORKING TO ALLOW CONSUMERS THE OPTION TO LIST THEIR NAME ON A STATEWIDE "DO NOT CALL" LIST, WHICH TELEMARKETERS MUST PURCHASE BEFORE DOING BUSINESS IN THE STATE, WITH PENALTIES FOR NONCOMPLIANCE.

SPECIFICALLY AARP SUPPORTS LEGISLATION THAT WOULD:

- KEEP EXEMPTIONS TO A MINIMUM;
- INCLUDE THE OVERSIGHT AND ENFORCEMENT AUTHORITY OF THE STATE ATTORNEY GENERAL ;
- BE AVAILABLE AT LITTLE OR NO COST ;
- INCLUDE SIGNIFICANT PENALTIES FOR VIOLATIONS; AND,
- BE UPDATED FREQUENTLY

WE FEEL AB 232 ADDRESSES THOSE STANDARDS. WE THANK YOU FOR ALLOWING US TO SHARE THESE THOUGHTS WITH YOU TODAY.