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TESTIMONY – SB 255  
TUESDAY, MARCH 18, 2002  
SENATE COMMITTEE ON COMMERCE AND LABOR

GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. FOR THE RECORD MY NAME IS LARRY SPITLER AND I'M THE ASSOCIATE STATE DIRECTOR OF 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 COMMUNITIES; AND OFFER A WIDE RANGE OF UNIQUE BENEFITS, SPECIAL PRODUCTS AND SERVICES FOR OUR MEMBERS. AARP NEVADA HAS OVER 258,000 MEMBERS.

AS YOU KNOW COMMITTEE MEMBERS, AARP NEVADA MEMBERS CONSIDER A MEASURE CURTAILING ANNOYING, UNSOLICITED TELEMARKETING CALLS AS ONE OF ITS MAJOR LEGISLATIVE PRIORITIES THIS SESSION. IT IS TRULY TIME FOR NEVADA TO REFLECT THE TRENDS OF OVER 30 OTHER STATES IN SECURING LEGISLATION WHICH AT ITS VERY LEAST ALLOWS FAMILY MEMBERS THE COMFORT OF ENJOYING A MEAL OR AN EVENING AT HOME WITHOUT UNWELCOME INTERRUPTIONS FROM TELEMARKETERS.

A "DO CALL" CONCEPT, IN A PERFECT WORLD, MIGHT BE ADVANTAGEOUS TO CONSUMERS; HOWEVER, WE'RE CONCERNED THAT THE MEASURE MIGHT NOT STAND CONSTITUTIONAL SCRUTINY. CONSEQUENTLY, WE WOULD FEEL MORE SECURE WITH AN APPROACH TO THE ISSUE THAT HAS BEEN TESTED IN THE COURTS – AND, THAT IS THE REVERSE OF "DO CALL" LEGISLATION – "DO NOT CALL" LEGISLATION.

AARP SUPPORTS LEGISLATION THAT KEEPS EXEMPTIONS TO A MINIMUM; INCLUDES ATTORNEY GENERAL OVERSIGHT; IS AVAILABLE AT LITTLE OR NO COST; INCLUDES SIGNIFICANT PENALTIES FOR VIOLATIONS; AND IS UPDATED FREQUENTLY.

WE FEEL THAT SB 255 TAKES UNSOLICITED CALLS FROM TELEMARKETERS INTO NEW LEGAL TERRITORY THAT HAS NOT BEEN REVIEWED JUDICIALLY AND WOULD ULTIMATELY CURTAIL THE MANY BENEFITS SOUGHT BY AARP'S MEMBERSHIP AND THE COMMUNITY AT LARGE..

WE THANK YOU FOR THE OPPORTUNITY TO SHARE OUR THOUGHTS ON SB 255 THIS MORNING.