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TESTIMONY – AB 232, 1st Reprint
SENATE COMMITTEE ON COMMERCE AND LABOR
THURSDAY, APRIL 17, 2003

GOOD MORNING, 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, IN BOTH LAS VEGAS AND HERE, ARE SEVERAL AARP VOLUNTEERS IN THE AUDIENCE AND OTHER MEMBERS OF THE GENERAL PUBLIC WHO CARE A GREAT DEAL ABOUT DO NOT CALL LEGISLATION. 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 AB232. DORIS.

EXHIBIT C Committee on Commerce/Labor

Date: 4/17/03 Page 1 of 3

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, FOR THE RECORD MY NAME IS DORIS ALCORN AND I AM VERY HAPPY TO GIVE OUR SUPPORT TO AB 236. IT IS A LONG AWAITED BILL FOR OUR MEMBERSHIP AND THE PUBLIC IN GENERAL. 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 33 STATES HAVE INSTITUTED REGISTRIES THAT PROHIBIT UNSOLICITATED CALLS.

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

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 TELEMARKETEERS WERE DIRECTING NEARLY 80 PERCENT OF THEIR CALLS TOWARD OLDER CONSUMERS.

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

IN NEVADA AARP ADVOCACY STAFF AND VOLUNTEERS ARE URGING PASSAGE OF "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 APPRECIATE THE OPPORTUNITY TO PRESENT OUR VIEWS AND HOPE THAT THE COMMITTEE LOOKS FAVORABLY ON THIS LEGISLATION.

THANK YOU.