

LB427 aims to prevent unwanted phone calls

■ Under a new proposal, consumers pay a small price to be placed on a no-call list that would protect them from telemarketers.

BY JESSICA FARGEN
Senior staff writer

First it is the annoying ring that interrupts dinner, then a telemarketer mispronounces your name and rapidly spits out a prepared speech to persuade you to switch phone companies or apply for a new credit card.

Under a new bill, what many people see as an invasion of privacy could be a thing of the past if a no-call list for telemarketers is established.

The Transportation Committee heard testimony Tuesday on LB427, which would set up a no-call list that consumers could be added to for \$5. Telemarketing companies would have to pay a mandatory \$10 fee to be listed as an official firm, and these companies could be fined \$2,000 for violating the law starting next January.

Lincoln Sen. Chris Beutler is sponsoring the bill in response to frustrated constituents who complained to him about unwanted telemarketing calls. But the bill also will save telemarketing firms time spent calling people who don't want to be called, he said.

Anne Boyle, a second district Public Service Commission representative, testified in favor of the bill along with members of the American Association of Retired Persons.

Transportation Committee Chairman Curt Bromm of Wahoo also shared his frustration with tele-

marketers who call once, hang up and then seconds later call back.

"That, to me, is extremely offensive, because I get up from the dinner table not once, but twice," he said. "That to me is particularly intrusive."

Beutler said current regulations protecting consumers from unwanted phone solicitations do not work.

"They are out there ... none of them are particularly efficient in my opinion," he said. "None of them have the legal force behind them."

James Gordon, a lobbyist for the Direct Marketing Association, said Nebraska does have a mechanism to prevent unwanted phone solicitations. Gordon represents 4,100 telemarketing firms nationally - 67 of which are in Nebraska.

Gordon said consumers can have their names removed from telemarketing lists by filling out forms available in the attorney general's office. For the cost of a stamp, their names are taken off all telemarketing lists in the state.

Gordon also said phone customers could ask telemarketers not to call them, and often their name would be taken out of a large pool of phone numbers.

By July, DMA-member companies will institute a policy to further limit DMA telemarketers from calling phone customers who tell them they don't want to be called. Gordon did not elaborate on the specific policy. He said he did not know if any Nebraska telemarketing firms were not DMA members.

Representatives from the Nebraska Retail Federation and AT&T said they were opposed to the bill, because federal regulations already protected consumers from unwanted phone calls.

Gordon Kissel, a lobbyist for the Omaha-based West TeleServices,

wanted the bill to exempt companies that are publicly traded on any national exchange.

Under LB427, charitable, educational, religious and educational non-profit groups could still solicit over the phone.

Kissel said West Telemarketing had a strict policy and should not be included.

"We currently have a list," he said. "If someone tells us don't call, they don't."

Alan Beerman, who testified on behalf of the Nebraska Press Association, wanted newspapers to be included on the list of exemptions. Calling potential newspaper subscribers is important, because newspapers print public notices, which are essential to the public's participation in the community, he said.

Other telephone regulation bills heard Tuesday included:

■ LB150, sponsored by Grand Island Sen. Chris Peterson, would create the Telephone Consumer Slamming Prevention Act. Slamming occurs when customers' long distance carriers are changed without their permission.

■ LB261, sponsored by Lincoln Sen. David Landis, aims to cut slamming and loading practices through rules set up by the Public Service Commission. Loading occurs when customers are charged for services they did not receive or order.

■ LB469, sponsored by Lincoln Sen. LaVon Crosby, is geared to stop fraud over phones and through mail. Some of the regulations include verifiable authorization from a consumer before a mail or phone solicitor collects money for goods or services, and documented details of a sale such as a solicitor's phone number and written confirmation of the transaction sent to the consumer.

Home-schooling bill fails in heated debate

BY SHANE ANTHONY
Staff writer

Legislature

An amendment to a home-schooling bill failed in the Legislature today after spirited debate.

LB268, a bill introduced by Hastings Sen. Ardyce Bohlke, passed the first round of debate on a 35-0 vote. The bill would allow parents to home-school their children for reasons other than religious objection. But an amendment to the bill drew sharp criticism from Omaha Sen. Ernie Chambers.

The amendment, added in committee, would have clarified parents' rights to exempt their children from state-required immunization if they had a religious objection. Bohlke said current statutes allow this exemption for children in public schools, and families who home-school their children already assume such rights. The amendment would merely clarify it.

In arguing against the amendment, Chambers said in this instance, the state's interest in children took precedence over religious interests.

"This bill is a session-stopper for me," he said. "I'm concerned about these children for real."

Bohlke said the amendment was not necessary for the bill to advance. Without the amendment, she said, parents who had a religious objection to immunizing their children would still assume the exemption right.

"It was merely an effort to clear up a technicality," she said.

But Chambers said he would

work to change laws in the interest of children's health.

"I am going to try to remove from the statutes this so-called Christian Science Amendment," he said.

The amendment failed on a 13-18 vote. Thirteen senators who were present did not vote. Bohlke was among those who voted no on the amendment.

Chambers, however, did vote for the bill when it came up. In an interview after the vote, he said he was concerned that the bill would open home-schooling for anyone and for any reason. The issue of home-schooling, in general, was settled long ago, though, he said.

Bohlke said the bill's intent was to allow parents to be honest about why they wanted to home-school their children.

Omaha Sen. Pam Redfield spoke in favor of the measure. She used the example of a family wanting to keep a child who recently completed rehabilitation out of a drug-using crowd as one legitimate reason parents might want to home-school for non-religious reasons.

Families with legitimate reasons for home-schooling should not have to lie about religious objections, she said.

"I think we ought to give them the opportunity to home-school them and be honest about it," she said.

CORRECTION

The number of UNL yearbooks sold was reported incorrectly in Thursday's Daily Nebraskan. Yearbook Editor Sherri Neall said Monday she did not know how many yearbooks were sold.

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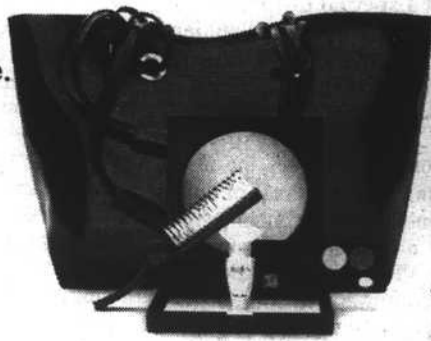
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