

Commerce has one of these machines and dials, which will dial the members, then this should not have to be regulated by the Public Service Commission. If there's a bad check artist in town and the Chamber of Commerce wants to notify the members that they should be on the lookout for this person, then this is a legitimate business purpose and I see no reason to have the Public Service Commission involved. So this is the reason I introduced this amendment, and I ask it be adopted.

SPEAKER MARVEL: Senator Wesely, do you wish to speak to the Lamb amendment?

SENATOR WESELY: Thank you, Mr. Speaker, and members of the Legislature, I appreciate Senator Lamb's interest in this legislation and I appreciate his making this proposed amendment to the bill, because I think it highlights one of the key issues involved and that is there are both illegitimate and legitimate uses of the electronic telephone dialing devices which are now becoming more and more prevalent in advertising and other uses of electronic media in this country and in this state. I agree with Senator Lamb that there are distinctions to be made between the proper use of these devices and the improper use. Now proper use I think is as Senator Lamb said a business that has some sale and somebody comes in and they want to purchase a certain item that's on sale and they are out of stock and they get their name down and then when the stock comes in they use the electronic dialing device to get back to the people and say, hey, this product is now on our shelves. It's back in the store, and if you want it it's back and it's available. I think that's legitimate. I have no problem with that, and I think that's a wise use of this equipment. On the other hand, you have a situation where you have a machine that can dial a thousand telephone numbers in one eight hour day sequentially just calling people up and giving them a five or so many minutes message about this product or that product without any sort of prior written or oral consent and just...and as far as I'm concerned intruding on the privacy of individual homeowners. That's wrong and that's what I'm trying to get at. I think what Senator Lamb is trying to get at the same thing, so I don't have any, you know, I don't want to sound like I'm against his motives here...what I'm against is that the amendment tends to clutter up a bill that has been carefully written and I think carefully considered and deals with a problem that has been identified by both Senator Lamb and myself, and that is that we don't particularly