

SENATE BILL No. 1043

November 16, 1988, Introduced by Senators SCHWARZ and O'BRIEN and referred to the Committee on Commerce and Technology.

A bill to amend Act No. 206 of the Public Acts of 1913,
entitled as amended

"An act to declare telephone lines and telephone companies within this state to be common carriers; to regulate the telephone business; to confer certain powers, duties, and responsibilities on the public service commission; to provide for the consolidation of telephone lines and telephone companies; to prohibit certain uses of telephone lines and telephone equipment; to regulate persons using telephone lines and telephone equipment; to prescribe a penalty for the violation of this act; and to repeal certain acts and parts of acts on specific dates,"

as amended, being sections 484.101 to 484.126 of the Michigan
Compiled Laws, by adding section 3g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 206 of the Public Acts of 1913, as
2 amended, being sections 484.101 to 484.126 of the Michigan
3 Compiled Laws, is amended by adding section 3g to read as
4 follows:

1 SEC. 3G. (1) NOTWITHSTANDING ANY OTHER PROVISION IN THIS
2 ACT, IF A PROVIDER OPERATES AN ALTERNATIVE OPERATOR SERVICE THAT
3 IS SEPARATE FROM THE OPERATOR SERVICE PROVIDED BY THE LOCAL
4 EXCHANGE CARRIER AND THAT SERVICE IS NOT OFFERED AT PRICES
5 APPROVED AND ON FILE WITH THE COMMISSION, THAT PROVIDER SHALL
6 NOTIFY EACH CUSTOMER, PRIOR TO THE USE OF THE SERVICE, OF ALL
7 CHARGES THAT WILL BE IMPOSED FOR THE SERVICE PROVIDED.

8 (2) IN ADDITION TO ANY OTHER PENALTY PROVIDED FOR IN THIS
9 ACT, A PERSON WHO IS CHARGED FOR THE USE OF AN OPERATOR SERVICE
10 IN VIOLATION OF THIS SECTION MAY BRING AN ACTION TO RECOVER
11 ACTUAL DAMAGES OR \$250.00, WHICHEVER IS GREATER, ALONG WITH REA-
12 SONABLE ATTORNEY FEES.