

## Senate

### Record of Committee Proceedings

#### **Committee on Privacy, Electronic Commerce and Financial Institutions**

##### **Senate Bill 140**

Relating to: use of caller identification blocking services by telephone solicitors.

By Senators Erpenbach, Baumgart, Clausing, Darling, Drzewiecki, Grobschmidt, Plache and Roessler; cosponsored by Representatives Schneider, Berceau, Black, Brandemuehl, Cullen, Goetsch, Gronemus, Gunderson, Hasenohrl, Kreuser, Montgomery, Musser, Petrowski, Pocan, Sykora, Turner, Wood and Powers.

May 5, 1999

Referred to committee on Privacy, Electronic Commerce and Financial Institutions.

August 24, 1999

##### **PUBLIC HEARING HELD**

Present: (0) None.

Absent: (0) None.

##### Appearances for

- Jim Rabbitt, DATCP
- Senator Jon Erpenbach
- Representative Marlin Schneider

##### Appearances against

- None.

##### Appearances for Information Only

- None.

##### Registrations for

- JoAnna Richard, Attorney General's Office
- Senator Alberta Darling

##### Registrations against

- None.

August 24, 1999

##### **EXECUTIVE SESSION**

Present: (4) Senators Erpenbach, Jauch, Plache and Rude.

Absent: (1) Senator Fitzgerald.

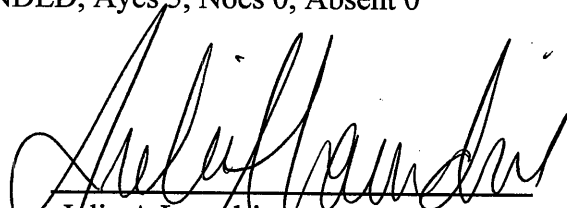
Moved by Senator Rude, seconded by Senator Jauch, that **Senate Bill 140** be recommended for passage.

Ayes: (5) Senators Erpenbach, Jauch, Plache, Rude and Fitzgerald(polling).

Noes: (0) None.

Absent: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0, Absent 0



Julie A Landrie  
Committee Clerk

*Senate*

## **Committee Report**

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The committee on **Privacy, Electronic Commerce and Financial Institutions**, reports and recommends:

### **Senate Bill 140**

Relating to: use of caller identification blocking services by telephone solicitors.

By Senators Erpenbach, Baumgart, Clausing, Darling, Drzewiecki, Grobschmidt, Plache and Roessler; cosponsored by Representatives Schneider, Berceau, Black, Brandemuehl, Cullen, Goetsch, Gronemus, Gunderson, Hasenohrl, Kreuser, Montgomery, Musser, Petrowski, Pocan, Sykora, Turner, Wood and Powers.



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Senator Jon Erpenbach  
Chair

EX SESSION

Roll Call

	<u>Present</u>	<u>Absent</u>
Sen Erpenbach	X	
Sen Fitzgerald		X
Sen Jauch	X	
Sen Plache	X	
Sen Rude	X	

# Committee Meeting Aug 24th

## Roll Call

	<u>Present</u>	<u>Absent</u>
Sen Erpenbach	X	
Sen Fitzgerald		X Notified of absence
Sen Jauch	X	
Sen Plache		
Sen Rude	X	

# VOTE SHEET

BILL SB 140

*intro + adaptation*

SUBSTITUTE AMENDMENT \_\_\_\_\_  
Authored by \_\_\_\_\_  
Seconded by \_\_\_\_\_

*[Handwritten mark]*

SENATE AMENDMENT \_\_\_\_\_  
Authored by \_\_\_\_\_  
Seconded by \_\_\_\_\_

MOTION Rude / Jauch

	YES	NO
SENATOR ERPENBACH	<input checked="" type="checkbox"/>	
SENATOR FITZGERALD	<input checked="" type="checkbox"/>	<i>polled</i>
SENATOR JAUCH	<input checked="" type="checkbox"/>	
SENATOR PLACHE	<input checked="" type="checkbox"/>	
SENATOR RUDE	<input checked="" type="checkbox"/>	

**SENATE HEARING SLIP**  
(Please Print Plainly)

DATE: 8/23/99  
BILL NO. SB/HO  
OR  
SUBJECT \_\_\_\_\_

Sen. Alberta Durling  
(NAME)  
(Street Address or Route Number)  
(City and Zip Code)

(Representing) \_\_\_\_\_  
Speaking in Favor:   
Speaking Against:   
Registering in Favor:   
but not speaking: \_\_\_\_\_  
Registering Against:   
but not speaking: \_\_\_\_\_  
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.  
Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**  
(Please Print Plainly)

DATE: 8-24-99  
BILL NO. SB140  
OR  
SUBJECT \_\_\_\_\_

JoAnna M. Richard  
(NAME)  
123 W. Washington St.  
(Street Address or Route Number)  
Madison WI 53703  
(City and Zip Code)

Attorney General's Office  
(Representing) \_\_\_\_\_  
Speaking in Favor:   
Speaking Against:   
Registering in Favor:   
but not speaking: \_\_\_\_\_  
Registering Against:   
but not speaking: \_\_\_\_\_  
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.  
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P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**  
(Please Print Plainly)

DATE: 8-24-99  
BILL NO. SB 140  
OR  
SUBJECT \_\_\_\_\_

Sim Rabbit  
(NAME)  
8911 Agriculture Dr  
(Street Address or Route Number)  
Madison 53708  
(City and Zip Code)

Agriculture, Trade & Consumer Protection  
(Representing) \_\_\_\_\_  
Speaking in Favor:   
Speaking Against:   
Registering in Favor:   
but not speaking: \_\_\_\_\_  
Registering Against:   
but not speaking: \_\_\_\_\_  
Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 8/24  
BILL NO. Sb 140  
OF  
SUBJECT \_\_\_\_\_

(NAME) Sen Epenbach  
(Street Address or Route Number) \_\_\_\_\_  
(City and Zip Code) \_\_\_\_\_  
(Representing) \_\_\_\_\_

Speaking in Favor:   
Speaking Against:   
Registering in Favor:   
but not speaking:  
Registering Against:   
but not speaking:  
Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 8/24/89  
BILL NO. SB 140  
OF  
SUBJECT \_\_\_\_\_

(NAME) Martin D. Schneider  
(Street Address or Route Number) 3826 Southbrook Lane  
(City and Zip Code) Wisconsin Rapids  
(Representing) 72nd Assembly District

Speaking in Favor:   
Speaking Against:   
Registering in Favor:   
but not speaking:  
Registering Against:   
but not speaking:  
Speaking for information only; Neither for nor against:

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State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882





State of Wisconsin  
Tommy G. Thompson, Governor

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**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

August 23, 1999

To: Senator Jon Erpenbach, Chair  
Committee on Privacy, Electronic Commerce and Financial Institutions

From: William L. Oemichen, Administrator  
Division of Trade and Consumer Protection *Bill Oemichen*

Subject: Senate Bill 140, relating to Use of Caller ID Blocking by Telephone Solicitors

The Department of Agriculture, Trade and Consumer Protection supports proposed SB 140, sections 1 through 5 and section 7, relating to telephone and facsimile solicitation practices. The Department takes no position on section 6.

We believe this bill represents a reasonable response to consumer concerns about their inability to identify solicitors who telemarket them by voice or facsimile. Caller identification service simply allows the consumer to "peek through the curtain" before answering the call.

Both state and federal rules prohibit a telemarketer from calling consumers who ask to be removed from the solicitor's prospective customer list, calling during odd hours, or calling in an attempt to harass or threaten the consumer. However, a number of consumers have complained to us that most solicitors block caller identifying features leaving the consumer with little proof of such activities. Consumers are frustrated because they believe they are losing a useful means of identifying and screening unscrupulous telemarketers.

A significant number of consumer telemarketing complaints are filed each year with the Department. In 1998, telemarketing complaints entered the list of Wisconsin's Top Ten Consumer Protection issues for the first time. In response, the Trade and Consumer Protection Division rewrote Chapter ATCP 127, Wis. Administration Code ("Direct Marketing") to strengthen consumer's rights. One new requirement is that the caller identify who they are, and who they represent, before any other conversation of substance occurs. SB 140 would enhance that requirement.

Our Department has long advised Wisconsin consumers against dealing with telemarketers they do not know. This bill would prohibit one of the primary tools an unscrupulous telemarketer could use to mask its identity without imposing any costs on legitimate businesses.

Thank you for the opportunity to testify on Senate Bill 140.