

2001 DRAFTING REQUEST

Bill

Received: **11/16/2000**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Julie**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Trade Regulation - other**

Extra Copies: **MGG, RTK**

Pre Topic:

No specific pre topic given

Topic:

Prohibit telemarketers from blocking caller identification

Instructions:

Redraft 99-2289/2

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kunkemd 11/20/2000	jdye 11/20/2000		_____			
/1			pgreensl 11/21/2000	_____	lrb_docadmin 11/21/2000	lrb_docadmin 12/11/2000	

FE Sent For:

<END>

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<END>

D-NOTE

jld
1078/1

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RUN

1999 SENATE BILL 140

May 5, 1999 - Introduced by Senators ERPENBACH, BALMGART, 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. Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

Regen

1 AN ACT to renumber 134.72 (1) (a); to amend 767.265 (2r) and 968.01 (1); to
2 repeal and recreate 134.72 (title); and to create 134.72 (1) (ae), 134.72 (1)
3 (ah) and 134.72 (2) (c) of the statutes; relating to: use of caller identification
4 blocking services by telephone solicitors.

Analysis by the Legislative Reference Bureau

This bill prohibits an employer from allowing an employe^e who makes a * telephone solicitation on behalf of the employer from using a blocking service that withholds the caller's name or telephone number from the person who receives the solicitation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 134.72 (title)^y of the statutes is repealed and recreated to read:

6 134.72 (title) Telephone and facsimile solicitations.

7 SECTION 2. 134.72 (1) (a)^x of the statutes is renumbered 134.72 (1) (as).

8 SECTION 3. 134.72 (1) (ae)^x of the statutes is created to read:

SENATE BILL 140

SECTION 3

1 134.72 (1) (ae) "Blocking service" means a service that allows a person who
2 makes a telephone call to withhold his or her telephone number or name from a
3 person who receives the telephone call and who uses a caller identification service.

4 SECTION 4. 134.72 (1) (ah)^x of the statutes is created to read:

5 134.72 (1) (ah) "Caller identification service" means a service that allows a
6 person who receives a telephone call to identify the telephone number or name of the
7 caller.

8 SECTION 5. 134.72 (2) (c)^x of the statutes is created to read:

9 134.72 (2) (c) *Blocking services*. No employer may allow an employe^e_λ to use a
10 blocking service when making a telephone solicitation on behalf of the employer.

11 SECTION 6. 767.265 (2r)^x of the statutes is amended to read:

12 767.265 (2r) Upon entry of each order for child support, maintenance, family
13 support ^g ~~or~~ support by a spouse ^λ and upon approval of each stipulation for child
14 support, unless the court finds that income withholding is likely to cause the payer
15 irreparable harm or unless s. 767.267 applies, the court, family court commissioner
16 or county child support agency under s. 59.53 (5) shall provide notice of the
17 assignment by regular mail or by facsimile machine, as defined in s. 134.72 (1) (a)
18 (as),[✓] or other electronic means to the last-known address of the person from whom
19 the payer receives or will receive money. The notice shall provide that the amount
20 withheld may not exceed the maximum amount that is subject to garnishment under
21 15 USC 1673 (b) (2). If the department or its designee, whichever is appropriate, does
22 not receive the money from the person notified, the court, family court commissioner
23 or county child support agency under s. 59.53 (5) shall provide notice of the
24 assignment to any other person from whom the payer receives or will receive money.

SENATE BILL 140

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Notice under this subsection may be a notice of the court, a copy of the executed assignment or a copy of that part of the court order directing payment.

SECTION 7. 968.01 (1) of the statutes is amended to read:

968.01 (1) "Facsimile machine" has the meaning given in s. 134.72 (1) ~~(a)~~ [✓] (as).

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1078/1dn

MDK:.....

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Senator Erpenbach:

This bill is identical to 1999 Senate Bill 140.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1078/1dn
MDK:jld:pg

November 21, 2000

Senator Erpenbach:

This bill is identical to 1999 Senate Bill 140.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 21, 2000

MEMORANDUM

NOV 21 2000

To: Senator Erpenbach

From: Mark D. Kunkel, Legislative Attorney

Re: LRB-1078 Prohibit telemarketers from blocking caller identification

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

___ JACKET FOR ASSEMBLY X JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0131 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.