Van H. Wanggaard

Wisconsin State Senator

Testimony of Senator Van Wanggaard on Senate Bill 185

Thank you, Mr. Chairman and Members of the Committee, for scheduling this hearing on Senate Bill 185, which regulates text messages as telephone solicitations for the purpose of the No Call List. I am cosponsoring this legislation with Representative Petryk, and I am pleased to testify in support of this bill.

Wisconsin's No Call List took effect on January 1, 2003. Since then, over 2.3 million consumers have taken advantage of this popular service to reduce unwanted telemarketing calls. Although subscribing to the No Call List does not completely eliminate telemarketing calls, the No Call List remains a popular option to help Wisconsin consumers protect their privacy.

However, for many Wisconsin consumers, unsolicited text messages are now becoming just as upsetting as unsolicited phone calls were at the turn of the century. These text messages rise above a minor annoyance—they arrive at every hour of the day and night, and often become an unplanned expense on consumers' cell phone bills. Wisconsinites are not alone in receiving unwanted text messages. Our limited research into other states indicates that New York, New Jersey, and Pennsylvania have all considered proposals adding text messages to their no call lists, and Indiana already has a do not text law.

In addition, these text messages can be used for phone cloning, where criminals hijack a phone number to use for their own purposes, or to suck unwitting consumers into a variety of scams. Adding text messages to the No Call List gives consumers another way to protect their privacy, their pocketbooks and their identities.

This bill makes no other changes to the No Call List. Nonprofits, businesses that have a prior relationship with a customer, polls, and surveys all remain exempt under this legislation. And just as the current No Call List cannot stop all unwanted telephone calls, this bill will not be able to stop every unwanted text message going forward.

I do want to emphasize the simplicity of this legislation. SB 185 adds three words to current statute—but those three words bring the No Call List into the 21st century. By extending the consumer protections of the No Call List to text messages, we can adapt to current technology and shield consumers from a new form of harassment. As the bad actors in our society move into new methods and new scams, we must update our laws to protect consumers.

SB 185 is a common sense measure, and has bipartisan support. I hope that we can work together to pass this legislation. I urge your support of this bill. Thank you.

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State Capitol, P.O. Box 7882, Madison, WI 53707-7882 • (608) 266-1832 • Toll-free (866) 615-7510
E-Mail: Sen.Wanggaard@legis.wi.gov • http://Wanggaard.senate.wi.gov

Warren Petryk

State Representative • 93rd Assembly District

To: Senate Committee on Energy, Biotechnology, and Consumer Protection

From: Representative Petryk

Re: Senate Bill 185

Date: Wednesday, September 21, 2011

Thank you Chairman Cowles, members of the Committee on Energy, Biotechnology, and Consumer Protection, and Senator Wanggaard, for allowing me to come today and testify in favor of Senate Bill 185. I have given my full support to this important consumer protection legislation by authoring the companion legislation in the Assembly, Assembly Bill 250.

As we all know, consumers have a history of being frustrated with unwanted and unnecessary phone solicitations from telemarketers. Since the inception of the Wisconsin Do Not Call List in January, 2003, Wisconsinites have been able to ensure that they are not bothered by these burdensome calls if they so choose. In June of 2008, mobile telephone numbers were added to the No Call List registry.

As of today, roughly 2.3 million Wisconsin phone numbers are on the No Call List. Senate Bill 185 would further the mission of the No Call List by banning telemarketer solicitations in the form of texting if the mobile phone number is registered on the No Call List. From conversations that I have had with constituents, they are very pleased we are working to add another form of protection from solicitors.

This is a bi-partisan piece of legislation and I strongly urge the Committee to support this consumer protection initiative. I would be happy to answer any questions from the committee members at this time.

Capitol Office: Post Office Box 8953 • Madison, Wisconsin 53708-8953 • Rep.Petryk@legis.wi.gov • (608) 266-0660 • **Toll-Free:** (888) 534-0093 • **Home:** (715) 878-4002