

PA 11-221

SB0098

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**JOINT
STANDING
COMMITTEE
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SENATOR FONFARA: Right.

JOEY-LEE MIRANDA: So yes, we could go to the town. We could have conversations with the town but there's not -- that out is not actually in the statute as it's currently written.

SENATOR FONFARA: Thank you.

REP. NARDELLO: Further questions from members of the Committee?

Thank you very much for your testimony.

What I can see from the signup sheets that I have here on Bill S.B. 98.

Okay. Mr. Emra.

JOHN EMRA: Thank you, Representative Nardello. I appreciate it. I would have been happy to do it in the last three minutes but I don't think the two subjects would have allowed it. In respect to Senate Bill 98 there's two -- two sections to the bill. The first section one really deals with the issue of spoofing.

Two years ago I came before your Committee and said that we were very supportive of the proposal that was in front of you, thought that there probably needed to be some language added to it to make sure that you were prohibiting that activity of spoofing only where there's intent to do harm or cause fraud. And I stand before you now -- or sit before you now two years later to congress -- well sometimes the Congress is slow to act and this case has acted.

At the end of 2010 they passed a federal spoofing legislation which is nearly identical

to the proposal that is before this Committee today. It addresses spoofing and makes it illegal when you're doing so to cause harm or defraud. So we don't think the State ought to act. We think that the federal law is -- is more than sufficient and it allows for state -- state enforcement of that. So we would with all due respect ask that the Committee not move section one of the bill.

Section two of the bill we have a number of concerns with but do want to work with the Committee. First as drafted it really only applies to a very small subset of the voice providers if you will in the marketplace. It applies to AT&T, Verizon and maybe some certified local exchange carriers that are in the market. That means that it excludes the largest provider of voice services in the market, the cable companies who for example who in many markets of Connecticut have the largest market share. This legislation would not apply to them.

So we do have a fundamental issue with applying rules to only one provider in the marketplace or two providers in the marketplace if you will and not all providers. More importantly though I think as I understand it and I've spoken to Senator Witkos some -- I think that the concern that this bill rises out of is the action of third parties who are -- who are allowed to bill on providers' telephone bills for goods and services.

And I don't think that this legislation addresses those bad actor third parties who we would like to see the legislation address with. And I think the Committee would as well. And that is those third party actors who are billing consumers for goods and services to

which they -- the consumer did not ask for and to which they did not provide a good or service to.

We'd be happy to work with the Committee on some language that addresses and gets at those -- those bad actors. We think that that's really where the problem resides. The federal truth in billing law that already exists through the FDC prohibits carriers like AT&T from cramming if you will. So that part of the law or proposal isn't necessary. But we do think that there -- there is a need to address those bad actors that are out there in the marketplace. We'd be happy to work with the Committee in trying to craft some language to do that.

REP. NARDELLO: Thank you. Are there questions from members of the Committee? Seeing none, thank you, John.

JOHN EMRA: Thank you very much.

REP. NARDELLO: Okay.

And as we go further on the bills that come further we don't have anybody for -- that I know of. I'm going to name the bills. So if there's anybody here that needs to testify in any of these S.B. 99 AN ACT PERMITTING CONDOMINIUM ASSOCIATIONS TO BENEFIT FROM THE CLEAN ENERGY FUND, H.B. 5207, AN ACT CONCERNING A SPECIAL ELECTRICITY RATE FOR SENIORS WHO HEAT THEIR HOMES WITH ELECTRICITY, and there's one more, and H.B. 528, AN ACT CONCERNING LIENS PLACED ON REAL PROPERTY BY ELECTRIC DISTRIBUTION COMPANIES. Is there anybody in the room that needs to testify in any of those bills?

**STATEMENT OF AT&T CONNECTICUT**

**Regarding Senate Bill No. 98
An Act Prohibiting Spoofing and Cramming
Before the Committee on Energy and Technology
February 3, 2011**

Proposal:

Section One of Senate Bill No. 98 would prohibit people from using a device to alter the caller ID information on a recipient's phone to display a false phone number or name with the intent to cause harm or to defraud and make such an act an unfair trade practices act. Section Two of the proposal would prohibit a telecommunications company as defined in Connecticut General Statutes Section 16-1 from charging a customer for any telecommunications service without their authorization.

Comments:

While AT&T agrees that the proposed bill addresses important consumer privacy and economic interests, AT&T suggests that the bill is not needed as existing federal legislation addresses both issues, making state legislation duplicative and unnecessary. In light of the interstate nature of many of the emerging communications technologies, federal legislation and regulation are the better venue in which these issues should be addressed. Having these issues addressed on a federal level provides consistency between jurisdictions, thus reducing costs of compliance to providers who are able to comply with one uniform set of regulations rather than a patchwork quilt of differing state laws and regulations. This reduction in costs will ultimately benefit consumers. In addition, differing state legislation could inadvertently cause confusion and ambiguity, making protection of these important privacy issues more difficult to achieve.

Section One: Recent federal legislation addresses the issue of "spoofing". In 2010, Congress passed the "Truth in Caller ID Act" or "CID Act" that makes it unlawful for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value. Like the proposed Section One, the CID Act is technology neutral. In addition, the CID Act provides both civil and criminal penalties, and provides for enforcement by the state, thus making any additional state legislation duplicative and unnecessary.

Section Two: Federal law also protects customers against cramming as well. The existing federal "Truth in Billing" rules, codified at 47 CFR Part 4 provide detailed protections to consumers against unauthorized third-party billing. Indeed, the Federal Trade Commission ("FTC") continues to examine better ways to protect consumers from "cramming" of unauthorized charges on their phone bills. For instance, the FTC is hosting a forum on May 11, 2011 in Washington DC to examine how the government, businesses, and consumer

protection organizations can work together to prevent consumers from being hit with unauthorized third-party charges on their phone bills.

AT&T respectfully suggests that the current Truth in Billing regulations already address these issues and that state legislation would be duplicative and unnecessary.

Moreover, AT&T respectfully opposes Section Two of the proposed bill as drafted since it does not address the underlying problem.

First, as drafted this language would not apply to the largest providers of telecommunications services in the marketplace – that is cable companies offering voice services – or to any other provider of voice services not under the definition found in Connecticut General Statutes Section 16-1. Cable companies offer voice services everywhere in the state of Connecticut today and, in fact, according to their own public financial reports, are among the largest providers in the market and in the industry in general. Respectfully, the General Assembly should not be imposing rules which do not apply to all providers.

Second, as we understand it, the bill's sponsor is mostly concerned about addressing the actions of certain third parties which have the right to bill for their services via AT&T and other providers' bills. The legislation which is before you, however, would do nothing to address the actions by such third parties that have given rise to this legislation. AT&T bills its customers on behalf of various third parties when the third parties indicate to us that a customer has purchased a good or service. We rely on such third parties providing us accurate and true information. If an AT&T customer informs us that they have billed on behalf of a third party erroneously, we credit the customer's bill for that amount. In addition, we offer to our Connecticut customers the ability to place a complete block on all third-party billing, if they so choose. Finally, if we determine that a third party is systematically billing our customers erroneously, we can and do sever our billing relationships with them.

Instead of the language found in Section Two, we would urge the committee to draft legislation which addresses what we understand to be the underlying issue, namely unauthorized billing by third-party providers. That is at the root cause of consumer complaints. We would be happy to work with the committee toward that end.

Conclusion:

AT&T opposes Sections One and Two of the bill as being unnecessary and duplicative in light of existing federal law and regulation. AT&T would welcome the opportunity to work with the committee to craft language which will address the sponsor's concerns.



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 East Hartford, CT 06108
 (860) 282-7899
 (860) 282-7892 Fax
 (800) 281-1481 (CT only)

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 Dayville, CT

Network Against Domestic Abuse
 Enfield, CT

Greenwich YWCA
 Domestic Abuse Service
 Greenwich, CT

Interval House
 Hartford, CT

Meriden-Wallingford Chrysalis
 Meriden, CT

New Horizons
 Middletown, CT

Prudence Crandall Center
 New Britain, CT

Domestic Violence Services
 New Haven, CT

Women's Center of SE CT
 New London, CT

Domestic Violence Crisis Center
 Norwalk, CT

Women's Support Services
 Sharon, CT

Domestic Violence Crisis Center
 Stamford, CT

Susan B. Anthony Project
 Torrington, CT

Safe Haven
 Waterbury, CT

United Services, Inc
 Domestic Violence Programs
 Willimantic, CT

To: Joint Committee on Energy and Technology
 From: Linda Blozie
 Connecticut Coalition Against Domestic Violence
 Date: February 3, 2010
 Re: SB 98: An Act Prohibiting Spoofing and Cramming

Good afternoon, Senator Fonfara, Representative Nardello and members of the Joint Committee on Energy and Technology. My name is Linda Blozie and I am the Director of Public Affairs for the Connecticut Coalition Against Domestic Violence. Thank you for accepting my testimony regarding Senate Bill 98: An Act Prohibiting Spoofing and Cramming.

The Connecticut Coalition Against Domestic Violence (CCADV) greatly appreciates your efforts to address impersonation through Caller Identification (ID) devices. The misuse of technology by domestic abusers and other criminals is an important issue and CCADV would be honored to work with the Committee to address Caller ID spoofing in a manner that also protects the safety of victims of domestic violence, dating violence and stalking.

CCADV is a membership organization representing 18 domestic violence programs, who in turn serve approximately 60,000 victims of domestic violence each year. CCADV also represents our local domestic violence programs as a member of the Safety Net Project. The Safety Net Project at the National Network to End Domestic Violence is the only national initiative addressing the intersection of domestic violence

to complete and it involves legal costs, filing fees, and associated administrative costs. However, once filed the liens only serve the purpose of notifying prospective buyers that the title is not free and clear and will prevent the sale of property unless the seller pays the debt owed to the utility and any other liens filed against the property. The lien does not advance the prompt collection of the debt and will not prevent service termination where possible.

SCG/CNG would support legislation that would give both electric and gas distribution companies the ability to place liens on properties without going through the courts similar to existing statutes applicable to private water companies. Not only are water company liens automatic, they also have preferential treatment for all others liens with the exception of taxes or assessments. This process eliminates the time and costs associated with filing the lien through the court system.

SCG/CNG opposes the provisions of this bill that would release a customer from a financial obligation simply because a lien was not placed prior to the sale of the property. Customers should have a continued obligation to pay for utility services previously provided, regardless of whether the utility placed a lien on the property. Further, the legislation as written is unfair and allows customers to run up utility bills and then sell the property before the utility lien has been placed. If the bill's intent is to provide that the new property owner is not responsible for the prior owner's electric bill if no lien is on the property, then SCG/CNG suggests that the bill be amended to specify this.

and all forms of technology. Safety Net tracks emerging technology issues and their impact on victim safety, working with local, State and Federal agencies to amend or create policies that enhance victim safety and confidentiality.

Domestic violence abusers are increasingly misusing a variety of telephone, surveillance and computer technologies to threaten, harass and stalk their victims. It is not uncommon for an abuser to misuse multiple technologies at once while also employing more traditional tactics. Today, something as simple as relying on caller ID has become a method to harass victims. Victims often answer calls thinking they are from supportive family and friends only to find their abuser on the other end of the line. Caller ID spoofing not only allows an abuser to continue to engage with a victim, it can also take away the support system a victim has in place. False identification of a caller can lead to further isolation of a victim because they cannot trust the authenticity of any phone call they are receiving. Among the reports of Caller ID spoofing by domestic violence victims, there was an instance in which an abuser made contact with a victim by using the phone numbers of the State's Attorneys' office and the New Haven Police Department.

While abusers misuse this technology, there is also a positive use of alternate caller ID. Service providers who assist victims must have the option to sometimes provide alternate Caller ID information to shield their confidential location. Since Caller ID became available in the Connecticut, phone companies have allowed individuals to block their phone number from appearing in a Caller ID device. Most local domestic violence programs use this feature to block Caller ID for outgoing calls to increase the safety of victims, as abusers may become more dangerous if they see a domestic violence shelter name in the Caller ID device. This is important because many victims seek help while they are still living with the abusers, and the service provider must be able to return the victims' calls without placing them in greater jeopardy.

Today, we are asking you to support Senate Bill 98: An Act Prohibiting Spoofing and Cramming. It is critical to protect victims from harmful Caller ID impersonation while ensuring that domestic violence programs who offer confidential services are able to do so in a way that protects victims. Thank you.



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC UTILITY CONTROL

& TECHNOLOGY COMMITTEE

Committee Bill 98: AAC PROHIBITING SPOOFING AND CRAMMING

February 3, 2011

TESTIMONY OF THE DEPARTMENT OF PUBLIC UTILITY CONTROL

The Department of Public Utility Control (Department) supports the intent of Committee Bill No. 98. Committee Bill No. 98 would prohibit any person from using a device to alter his or her name or telephone number on a caller identification display with the intent to defraud or cause harm and to prohibit telecommunications companies from charging customers for unauthorized services.

The Department would note that, Title 16 of the General Statutes of Connecticut limits the Department's jurisdiction to those companies offering traditional wireline services on an intrastate basis in Connecticut. Therefore, the Department's ability to enforce the provisions of Committee Bill 98 would be limited.

The Department also notes that Public Law No. 111-331, S.30: Truth in Caller ID Act of 2009, was signed into law by President Obama on December 22, 2010. Public Law No. 111-331 amends 47 U.S.C. 227 by prohibiting the provision of inaccurate Caller ID information and making unlawful:

for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value, unless such transmission is exempted . . . (2) . . . (N)othing in this subsection may be construed to prevent or restrict any person from blocking the capability of any caller identification service to transmit caller identification information.

It is the Department's belief that given the newly enacted federal law, Connecticut-specific legislation may be unnecessary.

Regarding cramming, telephone company billing and collection services are unregulated and as noted above, the Department's jurisdiction over companies providing billing services is limited to certain intrastate telecommunications providers and services. The Federal Communications Commission (FCC) has however developed Truth-in-Billing rules that telephone companies must follow when billing customers. The FCC's rules require in part, that the companies identify the service provider associated with each charge on customer bills. If a bill contains charges in addition to basic local service, the

Ten Franklin Square · New Britain, Connecticut 06051 · Phone: 860-827-1553 · Fax: 860-827-2613

Email: dpucexecutivesecretary@po.state.ct.us · Internet: www.state.ct.us/dpuc

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telephone company must distinguish between charges for which non-payment would result in disconnection of basic, local service, and those charges for which non-payment would not result in disconnection. Telephone companies must also display one or more toll-free numbers that consumers may call to dispute charges on their bill. Resolution of consumer complaints related to intrastate telecommunications services are addressed by the states (in this case the Department) and for those services provided between the states or on an international basis, by the FCC.

In some cases the telephone company may be acting as a billing agent for non-telephone services that it did not provide. Consumers should be proactive and question all charges appearing on their bills that they do not recognize or are for questionable services. The Department is aware of a number of cramming complaints associated with non-telephone services billed by The Southern New England Telephone Company d/b/a AT&T Connecticut (AT&T Connecticut). AT&T Connecticut has established procedures to address consumer disputes for non-telephone services provided by third parties. Accordingly, complaints for these types of services, are first directed to AT&T Connecticut and/or the third party for whom AT&T Connecticut is providing the billing function. If the customer is unable to resolve the dispute with either AT&T or the vendor, then the consumer may file a complaint with the Federal Trade Commission for resolution.

The Department thanks the Committee for the opportunity to submit testimony on this bill.

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your minds, all those in favor signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

Opposed? The Ayes have it.

Further on the bill as amended? Further on the
bill as amended? Representative Tercyak.

REP. TERCYAK (26th):

I ask that this item be placed on the Consent
Calendar, sir.

DEPUTY SPEAKER ALTOBELLO:

Without objection? Without objection? So
ordered.

Would the Clerk please call Calendar 583.

THE CLERK:

On page 27, Calendar 583, substitute for Senate
Bill Number 98, AN ACT PROHIBITING SPOOFING AND
CRAMMING. Favorable report of the Committee on
Judiciary.

DEPUTY SPEAKER ALTOBELLO:

Representative Fox of the 146th, you have the
floor.

REP. FOX (146th):

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Thank you, thank you, Mr. Speaker. I move for the acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER ALTOBELLO:

Question is acceptance and passage. Please proceed.

REP. FOX (146th):

Thank you, Mr. Speaker. This bill comes to us from the Energy Committee initially. It deals with criminal impersonation with electronic devices and intents to defraud, deceive or injure.

Mr. Speaker, the Senate passed an amendment, LCO Number 7603. I ask that that be called and I be permitted to summarize.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please call LCO 7603.

THE CLERK:

LCO Number 7603, Senate "A" offered by Senators
Fonfara, Witkos and Doyle.

DEPUTY SPEAKER ALTOBELLO:

Representative begs leave of the Chamber to summarize. No objection, please proceed.

REP. FOX (146th):

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Mr. Speaker, this amendment sets out that these provisions will not apply to a law enforcement officer and I move adoption.

DEPUTY SPEAKER ALTOBELLO:

Question before the Chamber is adoption of Senate "A". Will you remark? Will you remark?
Representative -- if not, I'll try your minds, all those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ALTOBELLO:

Those opposed? The Ayes have it. Senate "A" is adopted. Further on the bill? Further on the bill?
Representative Fox.

REP. FOX (146th):

Mr. Speaker, if there's no objection, I ask that this be placed on the Consent Calendar.

DEPUTY SPEAKER ALTOBELLO:

Is there objection --

A VOICE:

Speaker --

DEPUTY SPEAKER ALTOBELLO:

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-- to its being placed on the Consent Calendar?

Representative Cafero, you have the floor, sir.

REP. CAFERO (142nd):

Mr. Speaker, given the time of day and the agreement between the parties, I have no objection, but I've got to tell you, at my prime with a title like this I could have done 20 minutes standing on my head. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Seeing no objection, this will be placed on
Consent.

Would the Clerk please call Calendar 616.

THE CLERK:

On page 31, Calendar 616, substitute for Senate
Bill Number 973, AN ACT CONCERNING THE DETERMINATION
OF UNDUE HARDSHIP FOR PURPOSES OF MEDICAID
ELIGIBILITY. Favorable report of the Committee on
Human Services.

DEPUTY SPEAKER ALTOBELLO:

Representative Tercyak, you have the floor.

REP. TERCYAK (26th):

Thank you, Mr. Speaker. I move for acceptance of
the Joint Committee's Favorable Report and passage of

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Thank you, Mr. Speaker. This represents our first Consent Calendar of the evening and I move its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please read through the numbers on the Consent Calendar for the Chamber's edification, please.

THE CLERK:

Calendar 99, House Bill 6429. Calendar 331, Senate Bill 980. Calendar 399, Senate Bill 883. Calendar 439, House Bill 6632. Calendar 503, Senate Bill 1110. Calendar 585, Senate Bill 212. Calendar 586, Senate Bill 227. Calendar 491, Senate Bill 799. Calendar 535, Senate Bill 1116. Calendar 568, Senate Bill Number 1138. Calendar 637, Senate Bill 1160. Calendar 569, Senate Bill 1199. Calendar 616, Senate Bill 973. Calendar 583, Senate Bill 98. And Calendar 517, Senate Bill

SB1062

DEPUTY SPEAKER ARESIMOWICZ:

The question before us is on passage of the bills on today's -- Consent Calendar. Will you remark? If not, staff and guests please come to the Well of the House, members take your seats, the machine will be open.

THE CLERK:

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The House of Representatives is voting by roll call. Members to the Chamber. The House is voting today's Consent Calendar by roll call. Members to the Chamber.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? If all the members have voted, please check the board to determine if your vote has been properly cast. If all the members have voted, the machine will be locked, Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

On today's Consent Calendar,

Total Number voting	148
Necessary for passage	75
Those voting Yea	148
Those voting Nay	0
Those absent and not voting	3

DEPUTY SPEAKER ARESIMOWICZ:

Consent Calendar is passed.

Representative Sharkey, you have the floor, sir.

Is there business on the Clerk's desk?

THE CLERK:

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Thank you, Madam President.

THE CHAIR:

Thank you. Mr. Clerk.

THE CLERK:

Calendar page 29, Calendar Number 41, File
Number 16, substitute for Senate Bill 98, AN ACT
PROHIBITING SPOOFING AND CRAMMING, Favorable
Report of Committees on Energy and Technology,
General Law and Judiciary. Clerk is in
possession of amendments.

SENATOR FONFARA:

Madam President.

THE CHAIR:

Senator Fonfara, good evening, sir.

SENATOR FONFARA:

Good evening, Madam.

Madam President, I move for acceptance of
the Joint Committee's Favorable Report and
passage of the bill.

THE CHAIR:

Acting on approval of the bill, will you
remark further, sir?

SENATOR FONFARA:

Yes, Madam President.

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Madam President, the Clerk is in possession of LCO 7603, may he please call and I be permitted to summarize?

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 7603, which will be designated Senate Amendment Schedule "A", as offered by Senator Fonfara of the 1st District, et al.

SENATOR FONFARA:

Madam President, I move adoption.

THE CHAIR:

The question is on adoption. Will you remark, sir?

SENATOR FONFARA:

Yes. Madam President -- Madam President, this amendment strikes Section 2. It effectively eliminates the cramming aspect of the bill and leaves us solely with spoofing. And for the uninitiated -- and trust me, it wasn't too long ago that I counted myself in that category -- spoofing is the use of telecommunications technology, or an electronic device, cellphone, a -- a Smart phone, as examples, that -- in which a

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communication is made and an intentional effort to misrepresent, who you are, through the caller identification mechanism. And whereby that results in physical harm, financial harm, or where there is some action taken by law enforcement against an individual that you represented yourself to be.

Madam President, what I'm talking about here is in this wonderful world, in which the advances of telecommunications has allowed us to communicate in so many different ways, instantaneously with just about anyone across the world, there are still the -- there is still the ability to use this technology in -- in manners that may not be the most forthright. And, in fact, people do misrepresent who they are for various reasons that may not be appropriate. And, in fact, we've learned about some of those examples.

And what this amendment does is seek to make that a -- a misdemeanor under our -- under our law, so that we can, hopefully, discourage that kind of activity.

The cramming aspect of the -- of the bill

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has been eliminated. And we hope to be back next year, with the work of my very able Ranking Member, Senator Witkos, who has helped me greatly this year. And we'll speak more about that in the next couple of days, but with respect to this bill, as well, to address the cramming.

So, Madam President, I urge support for the amendment. And I thank you.

THE CHAIR:

Will you remark further? Will you remark further?

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

I want to thank Senator Fonfara for those nice words. And, you know, we kind of -- it was kind of a joke in the committee when we started to talk about spoofing and cramming, because nobody knew what we were talking about. And sometimes I wondered if we knew what we were talking about because it was confusing. And -- but it is realistic.

And -- and these things are happening. As our technologies advance, people find devious

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ways to utilize them. And inappropriately and sometimes people are injured by that whether it be personal injury or through a financial loss. And I think that this bill that's before us, or the amendment before us today, goes to speak to that and hopes to rectify that situation. And I would ask the Chamber's support of the amendment.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark further? Seeing nothing, may I try your minds? All in favor of the amendment, please say, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment passes. Senator Doyle.

SENATOR DOYLE:

Thank you, Madam President.

I just want to make a brief comment on this bill. And I first want to thank Senator Fonfara, for all his hard work on this bill and Senator Witkos, also.

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I've been primarily focusing on the -- of course, similar to the other Senators, I really had no idea what these terms meant, but I'm aware of and would learn about the term of "spoofing" from a constituent. A young -- young man about 19, he came into my office at the Capitol, with his parents and explained a fact pattern that was unacceptable to me. And I learned about it, and it turns out what happened to this -- my constituent, he was a victim of spoofing. And I'll just quickly tell the Senate Chamber what it is, so people can appreciate it.

Basically, my 19-year-old constituent was dating a young lady and they broke up, which is common course, but, unfortunately, it was a nasty break-up and, apparently, after the break-up, the brother of the ex-girlfriend, in an attempt to maybe defend his sister or the like, started sending texts to his girlfriend, but spoofing means you can cover it up. I certainly don't know how to achieve it, but you can cover up your own text source and impose someone else's text source.

So a simple answer is the brother sent text

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to his sister, which to the -- through the technology, made it appear that the ex-boyfriend, my constituent, sent them to his ex-girlfriend. They were, of course, of improper nature and threatening and the like. And, ultimately, my constituent was arrested for the conduct of sending the text.

Then the Middletown Police became involved, investigated the case, and after further review and, you know, my constituent's presentation to say, listen, I didn't do it. I'm innocent. And the police went further to investigate, you know, through technological means. And, in fact, proved that, in fact, he, my constituent, the, you know, the original boyfriend was not the source of it. The charges were dropped.

But this -- this law, after many efforts by many efforts by Senator Fonfara and Rick Taft at LCO, we came up to language that will address the problem, in the sense. And this came, this poor -- my constituent was a victim, in the sense that he was hauled into court and charges were brought against him. And he was innocent. So, ultimately, he was vindicated, but there was a

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lot of aggravation by the parents and, of course,
the young man.

So, again, this -- this legislation,
assuming it gets passed and signed by the
Governor, will give a means of redress for the
police to go after -- in my fact pattern -- the
brother of the ex-girlfriend.

And, again, I appreciate Senator Fonfara's
hard work and Senator Witkos. And I urge the
Chamber to approve it.

Thank you very much, Madam President.

THE CHAIR:

Will you remark further? Will you remark
further?

Senator Fonfara.

SENATOR FONFARA:

Yes. Madam President, unless there's
objection, I would move this to the Consent
Calendar.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar page 3, Calendar Number 130, File

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Thank you, Madam President.

THE CHAIR:

And at this time, I'd ask if there's --
seeing no objection, the bill will be put on
Consent.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Good evening,
again, Madam President.

THE CHAIR:

Good evening, sir.

SENATOR LOONEY:

Madam President would like to have the Clerk
call the items on the Consent Calendar, so that
we might move to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

An immediate roll call has been ordered in
the Senate on the First Consent Calendar. Will
all Senators please return to the Chamber?

Immediate roll call has been ordered in the
Senate on the Consent Calendar. Will all
Senators please return to the Chamber?

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Madam President, the items placed on the First Consent Calendar begin on Calendar page 1, Calendar 571, House Joint Resolution Number 122; Calendar 593, Senate Joint Resolution Number 52; Calendar page 3, Calendar Number 130, substitute for Senate Bill 999; Calendar page 5, Calendar Number 221, substitute for Senate Bill 858; Calendar 222, substitute for Senate Bill 973; Calendar page 7, Calendar Number 270, substitute for Senate Bill 212; Calendar 299, substitute for Senate Bill 139; Calendar 304, substitute for Senate Bill 860; Calendar page 10, Calendar Number 439, substitute for Senate Bill 1216; Calendar page 11, Calendar 456, substitute for Senate Bill 927; Calendar page 29, Calendar Number 41, substitute for Senate Bill 98; Calendar page 31, Calendar Number 114, substitute for Senate Bill 881; Calendar page 32, Calendar 140, substitute for Senate Bill 863; Calendar page 34, Calendar Number 201, substitute for Senate Bill 1038; Calendar page 35, Calendar 215, Senate Bill 227; Calendar 236, Senate Bill 371; Calendar page 37, Calendar Number 271, substitute for Senate Bill 1111, Calendar page 38, Calendar

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293, substitute for Senate Bill 1103; Calendar page 39, Calendar 303, substitute for Senate Bill 764; Calendar page 40, Calendar 342, Senate Bill 843; Calendar page 41, Calendar 362, substitute for Senate Bill 1217; Calendar 368, substitute for Senate Bill 882; Calendar 369, substitute for Senate Bill 939; Calendar page 43, Calendar 382, substitute for Senate Bill 1224; Calendar page 44, Calendar 398, substitute for Senate Bill 1044; Calendar page 45, Calendar 410, House Bill 5021; Calendar page 46, Calendar 434, substitute for Senate Bill 1219.

Madam President, that completes the items placed on the First Consent Calendar.

THE CHAIR:

We'll wait a moment. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, there is one item that we will need to remove from the Consent Calendar, because it needs to be amended and be reconsidered and then amended, and that is Calendar page 5, Calendar 222, Senate Bill 973. If that item might be removed from the Consent

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Calendar and called after the Consent Calendar,
so it can be corrected?

THE CHAIR:

The bill is removed from the Consent
Calendar. At this time, Mr. Clerk, will you re-
announce the roll call vote and the machine will
be open?

THE CLERK:

Immediate roll call has been ordered in the
Senate on the Consent Calendar. Will all
Senators please return to the Chamber? Immediate
roll call has been ordered in the Senate on the
Consent Calendar. Will all Senators please
return to the Chamber?

THE CHAIR:

All members voted? All members have noted.
The machine will be closed. Mr. Clerk, will you
call the tally?

THE CLERK:

Motions on adoption and Consent Calendar

Number 1:

Total number voting	36
Those voting Yea	36
Those voting Nay	0

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Those absent, not voting 0

THE CHAIR:

The Consent Calendar passed. Mr. Clerk, do you want to recall that bill? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Madam President.

Madam President, if that item might -- might be passed temporarily, I believe the amendment that would be a strike-all that we needed is not -- not here yet. So we will pass that item.

SB913

Madam President would yield the floor for Members for purposes of announcements or points of personal privilege.

THE CHAIR:

Are there any announcements or points of personal privilege? Any point of personal privilege or announcements? Seeing none.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, it's our intention to convene tomorrow at 11:00. Also, advise Members that you should make the weekend, especially Saturday, available for possible session, as