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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**1999-00**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on ... Judiciary and Personal Privacy  
(AC-JPP)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

## Assembly

### Record of Committee Proceedings

#### **Committee on Judiciary and Personal Privacy**

##### **Assembly Bill 766**

Relating to: prohibiting telephone solicitations during certain hours and providing a penalty.

By Representatives Pettis, Hahn, Musser, Hutchison and Jensen; cosponsored by Senators Baumgart and Rosenzweig.

February 17, 2000      Referred to committee on Judiciary and Personal Privacy.

March 1, 2000          **PUBLIC HEARING HELD**

Present:    (8)      Representatives Huebsch, Gundrum, Suder,  
Grothman, Sherman, Colon, Hebl and  
Staskunas.

Excused:   (1)      Representative Walker.

##### Appearances for

- Representative Mark Pettis, 28th Assembly District

##### Appearances against

- Debbi Flores, MCI Worldcom
- John Dragisic, Direct Marketers Association
- Doug Johnson, WI Merchants Federation

##### Appearances for Information Only

- Jim Rabbitt, WI Dept. of Agriculture, Trade and Consumer Protection

##### Registrations for

- None.

##### Registrations against

- Representative Joe Handrick, 34th Assembly District
- Ron Kuehn, WI Association of Life Underwriters, Independent Insurance Agents, Professional Insurance Agents
- Joan Hansen, Wisconsin Manufactures and Commerce
- Eric Englund, WI Insurance Alliance

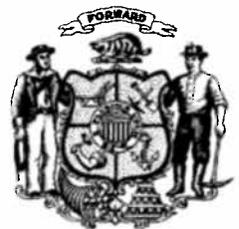
March 30, 2000          **Failed to pass pursuant to Senate Joint Resolution 1.**

A handwritten signature in black ink, appearing to read "Robert Delaporte", written over a horizontal line.

Robert Delaporte  
Committee Clerk



# WISCONSIN STATE LEGISLATURE





**DIRECT SELLING ASSOCIATION**  
1666 K Street, NW, Suite 1010, Washington, DC 20006-2808  
202/293-5760 • Fax 202/463-4569

February 29, 2000

The Honorable Michael D. Huebsch  
Chairperson, Committee on the Judiciary and Personal Privacy  
P.O. Box 8952  
Madison, WI 53708

**Re: Opposition to Assembly Bill 766 Relating to Telephone Solicitations**

Dear Chairperson Huebsch:

I am writing on behalf of the Direct Selling Association (DSA) to express our opposition to AB 766, a bill relating to telephone solicitations. As it is currently drafted, AB 766 would adversely impact direct sellers by prohibiting telephone solicitations between the hours of 5-7 p.m., central time. DSA opposes any hours restriction on unsolicited commercial telephone sales calls that are more prohibitive than 9:00 p.m. to 9:00 a.m.

By way of background, DSA is a national trade association representing approximately 180 companies that sell their products and services by personal presentation and demonstration, primarily in the home. Our association members include some of the nation's most well known commercial names, such as Amway, Avon, Tupperware, Mary Kay, and Shaklee. The direct selling industry attracts individuals who seek job flexibility, with low startup costs and minimal work experience. Many direct sellers are women, minorities and the elderly who work on a part-time basis to supplement their income. Direct sellers typically sell to their neighbors, relatives and friends. While they might occasionally use the telephone, direct sellers are never considered telemarketers.

We understand that the intent of AB 766 is to regulate intrusive telemarketing calls during the dinnertime hours. Hours limitations, particularly during dinnertime, are indeed popular among consumers, but would be injurious to the direct selling industry. Generally, the unsolicited telephone calls made by direct sellers are referral calls where a direct seller has been given the name of a customer's friend or neighbor, and makes a call to set up an appointment. Alternatively, a hostess of a direct selling party might use the telephone to invite potential guests. These legitimate, occasional and harmless uses of the telephone by direct sellers are not the telemarketing practices so often cited by consumers as problems. Nonetheless, under the bill these infrequent activities could deem direct sellers as being engaged in telephone solicitations and subject them to significant penalties upon violation of the law.

The Honorable Michael D. Huebsch  
February 29, 2000  
Page 2

Since most direct sellers are part-time and some work other jobs, the only time they can often make calls are early evening hours. Preventing calls other than between 9:00 p.m. and 9:00 a.m. would be a significant impediment to the way some direct sellers do business. The federal Telephone Consumer Protection Act (TCPA) and its implementing rules have prohibited interstate calls between 9:00 p.m. and 8:00 a.m. DSA urges Wisconsin to follow this federal model.

Thank you for your time and consideration of this matter. If you have any questions, please do not hesitate to contact me at (202) 778-3369 or email to [jhesse@dsa.org](mailto:jhesse@dsa.org).

Very truly yours,

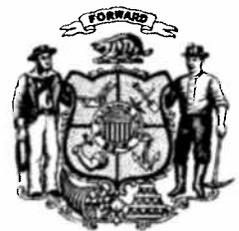


John W. Hesse, II  
Senior Attorney and Director, Government Relations

cc: Members, Assembly Judiciary and Personal Privacy Committee  
Mr. Chris Tackett, President, Wisconsin Merchants Federation



# WISCONSIN STATE LEGISLATURE





## MARKET USA, INC.

**To:** Chairman of the Committee Mike Huebsch  
**From:** Market USA  
**Re:** Assembly Bill 766  
**Date:** March 1, 2000

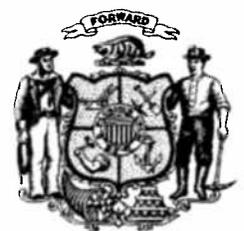
Market USA is a telemarketing company located in Beloit, Wisconsin. We are a legitimate telemarketing company that markets insurance based products for Fortune 500 companies. We have been a strong work force in the Beloit community for over 10 years. We have approximately 125 employees and offer a very competitive wage and benefit package. We are very concerned that if Bill 766 is passed there will be several employees who will lose substantial income or even be out of work. We hope you will take into consideration the effect this Bill will have on our employees and the Beloit community. Thank you for your time and the attention you have given to our concerns.

Respectfully,

*Deanna McCauley*  
Manager, Market USA



# WISCONSIN STATE LEGISLATURE



Date?

Doug Johnson  
WI Merchants

Talking Points

Wisconsin AB 766

prohibits telephone solicitation between 5:00pm and 7:00pm

1. Consumers have choices for telephone sales calls:

two federal laws restrict telephone solicitation to  
between 8:00am and 9:00pm local time of the called party

If the consumer does not want to receive sales calls

tell marketer not to call again

Marketers must have systems and procedures in place to  
delete consumers who ask to opt out of future calls

FCC 47 CFR 64 and 68  
FTC 16 CFR 310

The Direct Marketing Association (The DMA)  
offers a free service to consumers

**Telephone Preference Service (TPS)**

consumers who wish to reduce sales calls generally may  
send a request

Write to TPS  
P.O. Box 9014  
Farmingdale, NY 11735-9014

The Direct Marketing Association (The DMA) members pledge to  
delete TPS names/numbers from all prospect calling lists

You may also review TPS in your local white pages

Dear Abby and Ann Landers frequently mention TPS service

73,680 Wisconsin consumers are currently signed up for TPS

Some consumers use technology to manage the telephone

(Ameritech, Bell Atlantic)

other consumers use answering machines

2. May apply to calls originating in Wisconsin

federal law sets forth a standard for preemption of state law - but does not preempt state law which imposes more restrictive intrastate requirements.

AB 766 may apply only to companies located in the state of Wisconsin

a consumer could also receive charitable or political calls during "the dinner hour"

3. There is no national dinner hour  
No state restricts evening calls

4. Evening is the most productive time to call - the  
consumer is home

5. Telephone marketing employs many Wisconsin residents

telephone marketing service bureaus employ up to 3500 employees in Wisconsin;

businesses which do telephone marketing in-house employ several thousand more

telephone marketing is utilized as a welfare-to-work solution to help employees learn customer service

telephone marketing creates useful jobs

no education or experience needed - will train  
no particular wardrobe necessary  
flexible hours

**The Fair Credit Reporting Act—**

The Fair Credit Reporting Act (FCRA) governs the activities of credit bureaus and creditors. Among other things, the FCRA requires:

- Creditors to furnish accurate and complete information regarding your credit history.
- Credit bureaus to investigate if you dispute an entry on your credit report. If your claim is valid, your report must be corrected.
- That only people with a legitimate business purpose can obtain a copy of your credit report.

If you suspect a credit bureau is not complying with any of these laws, complain directly to the credit bureau. They may correct the problem. If not, contact the Federal Trade Commission (see page 13). While they can not always resolve individual complaints, they do use consumers' complaints and inquiries to decide which companies to investigate for violations.

**Credit Strategies**

**"Opting-Out" of Unwanted Solicitations**

Merchants, such as credit card companies, commonly purchase pre-screened lists of consumers from credit bureaus. These lists are used by merchants for marketing purposes. This practice of purchasing lists is permitted only if the list is used by the merchant to extend a firm offer of credit or insurance. The pre-screened lists sold by credit bureaus can only contain very limited information, such as the name and address of the consumer, and other general information.

Consumers have the right to keep their names off of these pre-screened lists. To exercise this so-called "opt-out" right, call (888) 567-8688, which is operated jointly by the three major credit bureaus: Trans Union, Equifax and Experian (formerly TRW).

To remove your address information from national mailing lists used by other types of merchants, or your name and number from telephone solicitation lists, write to:

**Mail Preference Service**

PO Box 9008  
Farmingdale NY 11735-9008

**Telephone Preference Service**

PO Box 9014  
Farmingdale NY 11735-9014

If you are receiving unwanted telephone solicitations for credit or insurance, you can also notify the telemarketer that you want your name, number and address information removed from their marketing lists. The Federal Telemarketing Rule requires telemarketers to keep record of such requests and to inform the company(ies) they represent of the customers who want their names removed from the lists.

requirements for senders of facsimile messages urge the Commission to clarify that carriers who simply provide transmission facilities that are used to transmit others' unsolicited facsimile advertisements may not be held liable for any violations of § 64.1200(a)(3).<sup>88</sup> We concur with these commenters. In the absence of "a high degree of involvement or actual notice of an illegal use and failure to take steps to prevent such transmissions," common carriers will not be held liable for the transmission of a prohibited facsimile message. Use of Common Carriers, 2 FCC Rod 2819, 2820 (1987).

## E. Enforcement

### 1. Private Right of Action.

55. The TCPA provides consumers with a private right of action, if otherwise permitted by state law or court rules, for any violation of the autodialer or prerecorded voice message prohibitions and for any violation of the guidelines for telephone solicitations. § 227(c)(5). Absent state law to the contrary, consumers may immediately file suit in state court if a caller violates the TCPA's prohibitions on the use of automatic telephone dialing system and artificial or prerecorded voice messages. § 227(b)(3). A consumer may also file suit in state court if he or she has received more than one telephone call within any 12-month period by or on behalf of the same company in violation of the guidelines for making telephone solicitations. § 227(c)(5). Telemarketers who have established and implemented reasonable practices and procedures in compliance with the latter section may present such compliance as an affirmative defense to any action for violation of telephone solicitation guidelines. § 227(c)(5). The TCPA also permits states to initiate a civil action in federal district court against a telemarketer who engages in a pattern or practice of violations of the TCPA. §§ 227(f)(1) and (2). States retain the power to initiate action in state court for violations of state telemarketing statutes. § 227(f)(6). Finally, consumers may request that the Commission take enforcement action regarding violations of § 227, consistent with the Commission's existing complaint procedures.<sup>89</sup>

### 2. State Law Preemption.

56. The TCPA, in § 227(e), sets forth a standard for preemption of state

first page or each page of a transmission to a facsimile machine must include identifying information.

88 See comments of SNET, Sprint, and reply comments of AT&T.

89 Pacific Bell asserts that complaint proceedings brought under § 208 of the Communications Act, 47 U.S.C. § 208, and based on violations of § 227 of the Act, 47 U.S.C. § 227, could only be instituted against common carriers. Pacific Bell is correct with respect to complaints filed under Section 208 of the Act. In addition to the private right of action noted above, aggrieved persons or entities may report violations of the TCPA to the Commission and request action on such violations through the informal procedures set forth in Section 1.417 of the rules, 47 C.F.R. § 1.417. See, e.g., 47 U.S.C. §§ 312 and 503(b).

law on autodialing, artificial or prerecorded voice messages, and telephone solicitations. The TCPA does not preempt state law which imposes more restrictive intrastate requirements or regulations regarding: the use of facsimile machines to send unsolicited advertisements; the use of automatic telephone dialing systems; the use of artificial or prerecorded voice messages; or the making of telephone solicitations. However, the TCPA specifically preempts state law where it conflicts with the technical and procedural requirements for identification of senders of telephone facsimile messages or autodialed artificial or prerecorded voice messages. §227 (e).

### 3. Other Matters

57. A number of commenters urge the Commission to request additional authority from Congress to protect consumer privacy interests, arguing that the NFRM errs on the side of protecting commercial speech and does not adequately protect telephone subscribers from invasions of privacy by telemarketers. These commenters point out that telephone subscribers must receive at least one unwanted solicitation before making a claim under the rules. The National Consumers League urges the Commission to withdraw the NFRM and begin the rulemaking process anew, stating that the Commission failed to make specific proposals for meeting the requirements of the TCPA.

58. Based upon our actions here, we find that no further authority is required at the present time to accomplish the goals of the TCPA to restrict unwanted telephone solicitations. The regulations implemented satisfy the TCPA's requirements that residential subscribers be provided with a means to avoid unwanted telephone solicitations, and that autodialers and prerecorded or artificial voice messages be used responsibly in ways that do not impede commerce or threaten public health and safety. This record supports our conclusion that the proposed rules strike a reasonable balance between privacy rights, public safety interests, and commercial freedom of speech and trade, which Congress cited as its paramount concerns in enacting the TCPA.<sup>90</sup> Moreover, contrary to the allegation of the National Consumers League, the NFRM asked for comment on a variety of proposals for restricting telephone solicitations to residences and weighed their benefits, as directed by § 227(c) of the TCPA. Specific information on the various proposals was supplied in the comments and our decision is based upon the record. Accordingly, we find at this time that renewal of the rulemaking process is not warranted and would unduly delay implementation of consumer privacy protections.

59. However, we are concerned that consumers be fully informed of their rights under the TCPA. In addition to disseminating our own public notices, we will work with consumer groups, industry associations, local telephone companies, and state agencies to assure that the rules we adopt today are well publicized. We also will monitor closely any reports of alleged violations of the TCPA or the rules that are filed with the Commission to determine whether additional action is necessary to protect consumers from unwanted solicitations. ~~Even our approach is not sufficient, a number of options are available. For example, we could cover the cross-industry brand or~~

90 See Section 2 of the TCPA.

U.S. MEMBERS - GEOGRAPHICAL

Sur La Table (206) 682-7175  
 Thunder Board Productions (206) 285-0305  
 ZWAY Corporation (206) 284-2929  
 WRQ Inc. (206) 217-7500

Spokane  
 Dakotah Direct, II L.L.C. (509) 624-2401  
 Metropolitan Mortgage & Securities (509) 838-3111  
 The Spokeman-Review (509) 459-5060

Sumas  
 Pacific East Research Corporation (800) 665-8400

Summer  
 REI-Recreational Equipment, Inc. (253) 395-3780

Tacoma  
 The News Tribune (206) 597-8754

Vancouver  
 Advanced Learning Technologies, Inc. (360) 892-1298  
 Electric Lightwave (360) 816-3000

West Virginia

Bluefield  
 Wisdom Networks (304) 589-5111

Morgantown  
 West Virginia University School of Journalism (304) 293-3505

Parkersburg  
 Woodcraft Supply Corp. (304) 422-5412

Wisconsin

Amherst Junction  
 Signature Press, Inc. (715) 824-5050

Appleton  
 AAL (920) 734-5721  
 AAL Capital Management Corporation (920) 734-5721

Beaver Dam  
 Nancy's Notions, Ltd. (414) 887-0391

Brookfield  
 Johnson Direct (414) 796-2230

Chippewa Falls  
 Mason Shoe Manufacturing Co. (715) 723-1871

Cadany  
 MSP Corporation (414) 483-5025

Dodgeville  
 Lands' End, Inc. (414) 423-0100

Eau Claire  
 Lorman Business Center (715) 833-3940

Fort Atkinson  
 NASCO (414) 583-2446

Grafton  
 Frank Mayer & Associates, Inc. (414) 377-4701

Green Bay  
 Greatland (920) 337-1000  
 Wisconsin Public Service Corporation (920) 433-1671

Greendale  
 Reiman Publications (414) 423-0100

Hales Corners  
 Priests of the Sacred Heart (414) 425-3383

Janesville  
 Lab Safety Supply Inc. (608) 754-2345  
 Machine Shop Supply (608) 743-8000

Kenosha  
 Doherty Enterprises, Inc. (414) 605-1060  
 Jockey International Global, Inc. (414) 654-8111  
 Racine Federated Inc. FloCat (414) 653-0790

Westvaco Envelope Division Chicago (800) 551-2442

La Crosse  
 Fastologic, Inc. (608) 782-5000  
 Ovation Marketing, Inc. (608) 785-2460  
 Powlsoff (608) 788-8700

Lake Geneva  
 Primex Incorporated (414) 248-3000

Madison  
 AAA Wisconsin (608) 836-5535  
 CUNA Mutual Insurance Group (608) 238-5851  
 Center for Cosmetic Dentistry (608) 238-9123  
 The Christian Group Inc. (608) 273-5555  
 Conroy Safety Products Company, Inc. (608) 271-3300  
 Madison Newspapers, Inc. (608) 256-3133  
 Sonic Foundry, Inc. (608) 664-4119  
 TDS Telecom (608) 255-9283  
 Third Wave Research Group (608) 231-6100  
 Topfites & Associates (608) 837-5166  
 The Wisconsin Cheeseman, Inc. (608) 837-5166

Marshfield  
 Donnelly Marketing A First Data Company (715) 387-3400

Menasha  
 Banta Corporation (920) 751-7777

Menomonie Falls  
 AD Type & Label (414) 255-6150  
 Azandell Corporation (414) 255-4400

Middleton  
 Pleasant Company (608) 836-4848

Milwaukee  
 Auron HealthCare (414) 647-3000  
 Robert W. Baird & Company Inc. (414) 765-3500  
 Business & Institutional Furniture Company (414) 273-6080  
 C & H Distributors, Inc. (414) 443-1700  
 C & H Distributors, Inc. (414) 302-7557  
 DCI Marketing (414) 228-7000  
 Direct Supply Inc. (414) 358-2805  
 Fortis Health (800) 800-1218  
 Holman York (414) 289-9700  
 Hunter Business Group LLC (414) 332-8050  
 INX International Ink Co. (414) 438-4383  
 Insurance Processing Center, Inc. (414) 278-0827  
 Integrated Mail Industries (414) 908-3533  
 Dorothy Kerr & Associates (414) 228-0335  
 National Business Furniture, Inc. (414) 276-8511  
 Pegasus Direct, Inc. (414) 362-3111  
 Strong Funds (414) 359-3400  
 Wisconsin Color Press (414) 353-5400

Monroe  
 The Swiss Colony (608) 328-8400

Neenah  
 J.J. Keller & Associates, Inc. (920) 722-2848

New Berlin  
 Seitz Printing Company L.L.C. (800) 784-9501

Oscoda  
 Classic Motorbooks (715) 294-3345  
 Core Products International (715) 294-2050

Oshkosh  
 EAA (920) 426-4858

Oshkosh  
 Miles Kimball (920) 231-3800

Pewaukee  
 John Harland Company (414) 691-1653  
 Quad/Graphics, Inc. (414) 566-6000

Flower  
 W3DM (715) 341-6180

Plymouth  
 Sargento Foods Inc. (800) 795-7090

Randolph  
 I. W. Jung Seed Company (920) 326-3121

Rhineland  
 Foster & Smith, Inc. (715) 369-3305

Sheboygan  
 Map Applications, Inc. (920) 457-8600

Stevens Point  
 Sentry Insurance (715) 346-7001

Superior  
 Tele Resources Inc. (715) 395-2740

Waterloo  
 Perry Judd's, Inc. (920) 478-3551

Waukesha  
 All City Call Center (262) 542-9899  
 Kalmbach Publishing Company (414) 796-8776  
 Retail Target Marketing Systems, Inc. (414) 650-8228  
 Seroika & Associates (414) 523-3740

Wauwatosa  
 Unick Inc. (608) 849-9999

Wyoming

Cheyenne  
 Sierra Trading Post (307) 775-8050  
 Unicolor Corporation (307) 771-3000

For International Country Codes See Page 303

ARGENTINA

All Marketing S.A. | 827-4900  
 Also Palermo S.A. 541 344-4600  
 Asociacion de Marketing Directo de Argentina | 313 3030  
 La Buenos Aires - New York Life | 348-5510  
 Caja de Seguros, S.A. | 857-8081  
 Cheating Group | 821-3900  
 CORRO ARGENTINO S.A. | 316-30 63  
 di Paola & Asociados Total Solutions Group 54-11 4 616-0848  
 Dial Database Marketing S.A. | 1329-9500  
 Editorial Perfil | 341-9052  
 IAS - Ideas for Sale | 801-2031  
 Meyer & Meyer Direct S.A. | 1772-3405  
 Multi Voice Marketing Directo | 51 21-9000  
 Rapp Collins Argentina | 11 4315-9119  
 Spraytec S.A. | 1585-8502  
 Telecom Argentina S.A. | 1968-8336  
 Televcompras 2001 S.R.L. 541 857-5050  
 Vriovec & Asociados | 312-3636

AUSTRALIA

Australia Post 61 39 204-7557  
 Australian Direct Marketing Association 2 9368 0366  
 Call Centre Integrity, Pty Ltd. 9 927-4026  
 Cartwright Williams 2 9953-8600  
 Clemenger Direct Response 2 925-5279  
 Clemenger Direct Response Campaign Agency & Studios Pty Ltd. 2 319-1933  
 The Direct Board 2 9651 5600  
 Direct Media Pty Ltd 2 9264-5066  
 Gallery Entertainment Pty. Ltd 2 99 37 27 42  
 Gifts To Go (613) 8213-0003  
 In House Marketing Consultants 2 9799-9971  
 Linda Louso Marketing & Communications 61 3 9645-3900



**STATE-BY-STATE ANALYSIS OF THE ECONOMIC  
IMPACT OF THE DIRECT MARKETING INDUSTRY\***

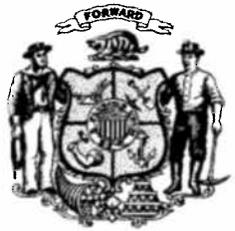
STATE	SALES REVENUE (in millions)		EMPLOYMENT**	
	1998	2003	1998	2003
Alabama	\$19,562,400	\$28,957,000	183,579	221,282
Alaska	\$2,981,600	\$4,511,800	29,810	35,160
Arizona	\$21,939,300	\$37,340,900	215,829	303,635
Arkansas	\$12,716,600	\$19,480,500	113,957	141,898
California	\$153,808,800	\$235,004,300	1,494,721	1,894,743
Colorado	\$22,692,100	\$36,674,500	221,716	299,557
Connecticut	\$18,825,900	\$27,253,000	174,885	204,610
Delaware	\$5,219,200	\$7,722,400	45,103	55,398
Dist. of Columbia	\$4,521,700	\$6,027,600	57,818	62,696
Florida	\$73,922,200	\$114,196,200	733,544	942,017
Georgia	\$40,686,900	\$62,452,900	389,525	491,913
Hawaii	\$6,074,200	\$8,694,500	62,099	72,629
Idaho	\$5,570,600	\$9,072,000	50,138	66,177
Illinois	\$67,827,600	\$102,623,900	641,119	783,683
Indiana	\$31,398,000	\$46,632,000	289,922	349,476
Iowa	\$16,094,700	\$24,199,900	150,038	183,414
Kansas	\$13,425,400	\$2,0076,400	123,726	150,326
Kentucky	\$18,859,100	\$28,575,600	175,293	213,431
Louisiana	\$18,134,300	\$26,746,900	175,378	212,353
Maine	\$5,672,900	\$8,431,700	55,362	66,577
Maryland	\$23,625,700	\$35,046,200	233,912	286,540
Massachusetts	\$35,025,000	\$52,531,300	348,010	425,124
Michigan	\$49,375,500	\$74,137,900	459,517	564,569
Minnesota	\$28,813,000	\$44,213,700	273,657	338,167
Mississippi	\$11,839,900	\$17,568,800	112,577	134,906
Missouri	\$29,924,200	\$44,640,700	282,296	340,906
Montana	\$3,642,300	\$5,662,700	37,612	47,573
Nebraska	\$9,842,200	\$14,862,400	92,020	113,228
Nevada	\$9,365,200	\$15,233,100	120,664	164,446
New Hampshire	\$6,331,900	\$9,521,900	61,848	75,309
New Mexico	\$6,656,200	\$10,195,200	67,072	83,881
New York	\$92,865,800	\$135,392,700	902,095	1,061,482
North Carolina	\$42,472,200	\$64,273,700	391,697	483,014

North Dakota	\$3,095,700	\$4,728,700	30,923	38,444
Ohio	\$59,178,900	\$87,821,500	554,490	670,630
Oklahoma	\$14,380,700	\$2,1581,600	141,736	175,985
Oregon	\$16,967,200	\$25,805,000	161,794	201,449
Pennsylvania	\$60,463,200	\$87,805,700	582,732	66,311
Rhode Island	\$4,974,500	\$7,146,500	50,107	58,775
South Carolina	\$18,731,200	\$27,992,100	177,897	216,836
South Dakota	\$3,783,900	\$5,716,900	36,633	44,719
Tennessee	\$28,926,900	\$43,313,400	274,533	334,551
Texas	\$93,257,500	\$143,084,300	877,615	1,096,738
Utah	\$10,934,500	\$17,880,000	109,641	148,405
Vermont	\$3,021,500	\$4,532,300	30,300	36,780
Virginia	\$35,110,000	\$53,150,400	338,857	427,729
Washington	\$27,610,300	\$42,583,500	259,476	328,606
West Virginia	\$6,828,800	\$10,064,400	66,739	80,484
Wisconsin	\$29,366,100	\$44,391,300	274,505	333,554
Wyoming	\$1,984,800	\$2,927,200	20,495	24,275

- \* Sales revenue generated by direct marketers in each state. Source: 1998 WEFA Study: Economic Impact: U.S. Direct Marketing Today
- \*\* Number of people employed by direct marketers in each state



# WISCONSIN STATE LEGISLATURE



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To: Mike Huebsch		From	LORENZO

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FOR IMMEDIATE RELEASE: Tuesday, February 23, 1999

Award-Winning Ameritech Privacy Manager Now Available in Milwaukee

Promotion Offers Free Month of Service, Waiver of Service Order Charge

**MILWAUKEE** -- Ameritech Privacy Manager, an award-winning service designed to give customers choice and control over calls coming into their homes, was introduced today in Milwaukee. Endorsed by a national telemarketing ethics organization, the service will give customers the option to answer calls from parties they wish to talk to or reject unwanted calls.

Since its introduction in September, Ameritech Privacy Manager has attracted consumers at a rate greater than Ameritech originally anticipated. Ameritech Privacy Manager enhances customer's privacy. In fact, the service actually reduces how often the phone rings. In Ameritech Privacy Manager tests, the company found that seven of every 10 unidentified callers simply hung up when their call was intercepted by the service -- meaning far fewer interruptions for Ameritech Privacy Manager subscribers.

For customers, the ability to protect their privacy is a priority: nearly eight in 10 Americans think that sales calls are intrusive, according to a national poll completed by Louis Harris & Associates last summer.

Last fall, Ameritech Privacy Manager was recognized nationally for the Most Innovative Voice Service as it received the InterOp Infr@structure Award by Inter@ctive Week, a communications industry magazine.

Ameritech Privacy Manager represents a significant advance in helping customers gain control over incoming calls and ranks as the most significant new communications feature since the introduction of Voice Mail. Ameritech developed Ameritech Privacy Manager and has applied for two patents.

The company has established a special number, 1-800-PRIVACY, for customers who want to sign up for Ameritech Privacy Manager. In addition, an area within the Ameritech Web site -- [www.ameritech.com/privacy](http://www.ameritech.com/privacy) -- offers information on the new service and tips on how to protect your personal privacy.

As part of a special promotion, customers regionwide can receive one month of free service and a waiver of the service order charge through March 31.

"Customers have responded overwhelmingly to Ameritech Privacy Manager and their new control over telemarketers," said Ellen Gardner, president of Ameritech Wisconsin. "This innovative new product helps them manage that personal intrusion -- the unwanted phone call."

AB 766  
folder

Ameritech Privacy Manager intercepts calls that show up as "private," "blocked," "out of area," "unavailable" or "unknown" on a Caller ID display. For these often frustrating calls, Ameritech Privacy Manager gives customers the peace of mind of knowing who is calling and enables the customer to choose how to handle each call. Yet important calls from friends and family can always get through.

After intercepting unidentified calls, Ameritech Privacy Manager then:

1. asks the caller to record his/her name before attempting to connect the call;
2. tells the subscriber who is calling;
3. gives the subscriber the choice to
  - a) press 1 to take the call,
  - b) press 2 to ignore/reject the call, or
  - c) press 3 to play a recorded message which informs the caller that telemarketing calls are not accepted and asks that the customer's name be added to the telemarketer's "do not call" list - a legally binding request, or
4. disconnects the call if the caller does not say his/her name.

The result: fewer rings, fewer annoying calls and fewer times Ameritech customers have to ask telemarketers not to call back. Ameritech Privacy Manager stops most sales calls before a customer's phone rings and gives individuals a range of options to control the calls that do.

TeleWatch, an independent teleservices industry group that focuses on ethical business standards, said it "supports the consumers' right to have control over calls coming into their homes. To the extent that Ameritech's new service offering gives consumers this type of control, we fully support this initiative."

Ameritech Privacy Manager has been available to most people in Chicago, Detroit, Cleveland, Columbus, Ohio, and Indianapolis for \$3.95 a month. The service operates in conjunction with Caller ID with Name. Now Milwaukee-area customers can utilize this service as well.

Ameritech Privacy Manager is the newest addition to Ameritech's range of privacy-enhancing services, such as Caller ID, Call Screening, \*69 ID service and private listings.

Ameritech (NYSE: AIT) serves millions of customers in 50 states and 40 countries. Ameritech provides a full range of communications services including local and long-distance telephone and data, cellular, paging, security, cable TV, Internet and more. One of the world's 100 largest companies, Ameritech ([www.ameritech.com](http://www.ameritech.com)) has 70,500 employees, 1 million shareowners and more than \$30 billion in assets.

# # #



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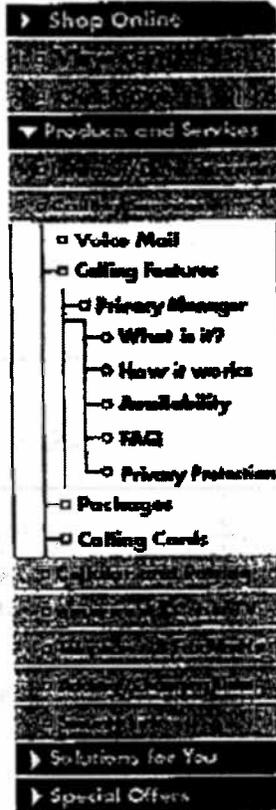
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# PRIVACY MANAGER

- Privacy Manager is a ground-breaking new service, available only from Ameritech, that can stop unwanted, unidentified calls, like telemarketers, before your phone even rings.
- Works with Caller ID with Name to identify 100% of incoming calls.
- Reduces the number of annoyance calls into your home.
- Order today and get your first month free. After that, it's only \$3.95 a month when you have Caller ID with Name.

Call to Order Today 1-888-635-5050 or [Add](#)

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- IT CAN STOP UNWANTED, UNIDENTIFIED CALLS FROM TELEMARKETERS BEFORE YOUR PHONE EVEN RINGS.
- IT INTERCEPTS "UNAVAILABLE", "BLOCKED" AND "PRIVATE" CALLS.
- NOW YOU CAN KNOW WHO'S CALLING 100% OF THE TIME.

New Privacy Manager service from Ameritech means never having to say you're "Sorry, not interested." It can actually prevent telemarketing calls from getting through.

Now your Privacy Manager can intercept telemarketing calls before your phone even rings. The service asks any unknown caller, showing up as private, blocked, or unavailable on a Caller ID display unit, to record their name. Then, the service plays the name back for you, and you can decide if you want to take the call.

If it's a telemarketer, you can send a message at the touch of a button instructing them to remove your name from their call list, so you won't be bothered again.

Best of all, you don't even have to say a word to the telemarketer - your Privacy Manager takes care of the call.

And because Privacy Manager works with Caller ID with Name to help you identify 100% of your calls, you'll never have to miss an unidentified call that you want to take, like calls from pay phones and cellular phones that often show up on Caller ID as unavailable.

Tired of making excuses to telemarketers? That's the best reason to Order Privacy Manager Today. It's only \$3.95 a month when you have Caller ID with Name.

Call to Order Today 1-888-635-5050 or [Add](#)

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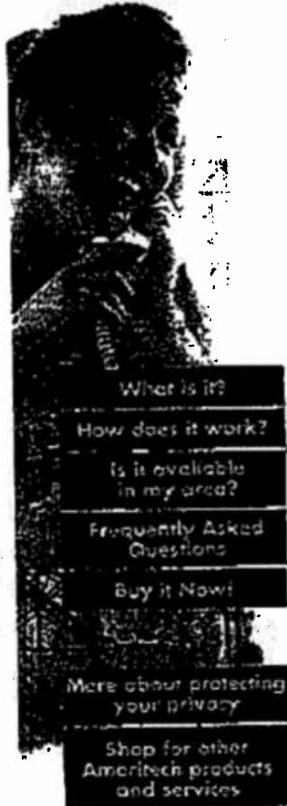
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AT HOME

# Privacy Manager



Click on these points to see more information on how Privacy Manager works.

- An unidentified caller dials your home number
- Privacy Manager intercepts the caller
- You hear the caller's name and can choose to...
  - Press "1" to accept the call
  - Press "2" to decline the call
  - Press "3" to refuse a sales call



Your Caller ID with Name can't identify your caller, because the number is "blocked", "unavailable", "out of area" or "private".

AT HOME

# Privacy Manager

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## FREQUENTLY ASKED QUESTIONS ABOUT PRIVACY MANAGER

1. Will Privacy Manager prevent me from getting calls from family and friends?
2. Will Privacy Manager intercept all my calls?
3. Is the "do not call" request binding?
4. Is this available to customers without Caller ID?
5. Will I be given verbal prompts each time?
6. Do my friends have to listen to the announcements each time they call?
7. What if I have voice mail or an answering machine?
8. I can access my messages when I am away from home by dialing home and dialing a code. Will I still be able to do that?
9. How will Privacy Manager work with my Call Waiting feature?
10. Does Privacy Manager work with \*69 ID and Call Screening?
11. What about Automated Collect Calls?
12. What if someone's trying to send a fax?
13. What about when I have other Call Management services?
14. Are there any equipment requirements?
15. Is Privacy Manager available everywhere?
16. Will this really cut down on phone solicitations?
17. Are there other ways I can discourage telemarketers?

### 1. Will Privacy Manager prevent me from getting calls from family and friends?

Since your friends are likely to call you from phones that do not block their

identity on Caller ID, these calls will not be intercepted. If they should call from an unidentified or blocked phone, Privacy Manager will ask them to record their name, letting you know it's a call you want to accept.

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## 2. Will Privacy Manager intercept all my calls?

No. Only calls that show up as private, blocked, unavailable or unknown on a Caller ID display unit will be intercepted by Privacy Manager. All "identified" calls will complete as they do today.

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## 3. Is the "do not call" request binding?

Yes. If you request that a telemarketer refrain from calling your number, rules of the Federal Communications Commission and the Federal Trade Commission require that they honor your request.

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## 4. Is this available to customers without Caller ID?

No. Privacy Manager is a service which works together with Caller ID with Name to help you protect yourself from unwanted calls. Privacy Manager assures that you will be able to identify a caller whose name and number appear as "unavailable" or "private" on a Caller ID display.

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## 5. Will I be given verbal prompts each time?

Yes. Of course, you can make your selection without waiting for the menu of choices, but the prompts are always presented so friends and family members can answer the phone without becoming confused.

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## 6. Do my friends have to listen to the announcements each time they call?

Your callers can dial any key during the "record" prompt and record their name immediately without listening to full instructions.

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## 7. What if I have voice mail or an answering machine?

Your voice mail or answering machine will work with Privacy Manager. After Privacy Manager has recorded the unidentified caller's name, it will connect to your home. If you do not pick up your phone the following will occur.

- When Privacy Manager detects the presence of voice mail or an answering machine, the caller will hear the message "Now connecting to an answering system", followed by a beep.
- The caller hears a beep and is connected to your voice mail or

answering machine. He or she can then leave a message.

**Important Note:** Since it takes 12 seconds for Privacy Manager to connect to your voice mail or answering machine, your recorded greeting should be at least 12 seconds long to ensure your caller will hear part of it. Here are a couple of possible message scripts for you.

"Hello. You've reached the Jones residence. We are not able to answer your call now, but please leave a message after the tone and we will get back to you. The number you are calling is 555-0100."

--Or, if you prefer not to leave your name -

"Hello. The number you have reached is 555-0100. We are not able to answer your call now, but please leave a message after the tone and we will get back to you. Once again, the number you are calling is 555-0100."

**Important Note:** Since Privacy Manager will only connect to your answering machine or voice mail after 12 seconds, if you use one of the two messages suggested here, the only part of the message your callers may hear is your phone number at the end of the greeting.

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**8. I can access my messages when I am away from home by dialing home and dialing a code. Will I still be able to do that?**

Yes. If you are calling from an unidentified phone and you are intercepted by Privacy Manager, you will be able to access your messages as long as your Voice Mail greeting is at least 12 seconds long and still playing when you are connected to your line.

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**9. How will Privacy Manager work with my Call Waiting feature?**

If you have Call Waiting and you receive an unidentified call while you are on the phone, Privacy Manager will still screen the call. You will hear the standard Call Waiting tone. After you press the receiver button to switch to the second call, you will hear the Privacy Manager greeting and then be able to select an option from the menu. To return to your first call, press the receiver button again.

If you have the Wait & See feature, incoming Call Waiting calls will display "Privacy Manager" on your Caller ID unit, as long as you have a Wait & See - compatible phone or display unit.

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**10. Does Privacy Manager work with \*69 ID and Call Screening?**

You should not use \*69 ID (Automatic Callback) and Call Screening when the last incoming call went through Privacy Manager.

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**11. What about Automated Collect Calls?**

Automated collect calls placed through Ameritech by dialing 0+ will always be intercepted by Privacy Manager. Calls placed through 1-800-Ameritech will often be identified, and thus, not be intercepted by Privacy Manager.

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**12. What if someone's trying to send a fax?**

This should rarely be a problem, since most fax calls will be from identified telephone numbers. However, faxes sent from "unknown" or "private" numbers will be intercepted by Privacy Manager.

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**13. What about when I have other Call Management services?**

Privacy Manager is compatible with other Ameritech Call Management Services, as well as all Voice Mail and answering systems, with the exception of Multi-Ring Service.

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**14. Are there any equipment requirements I need to meet before I can have Privacy Manager?**

As noted, Privacy Manager works with the Caller ID with Name service. Other than a standard Caller ID display unit, no special equipment is needed.

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**15. Is Privacy Manager available everywhere?**

We are deploying Privacy Manager first in major metropolitan areas, with other areas to be determined, based on need and demand. Please click on "Is it available in my area?" for availability in your area.

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**16. Will this really cut down on phone solicitations?**

Just as most telemarketers won't leave a message on your voice mail or your answering machine, many unidentified telemarketers won't pursue you through Privacy Manager. As soon as they hear the greeting, they will often hang up.

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**17. Are there other ways I can discourage telemarketers?**

Yes. In addition to Privacy Manager, you can instruct members of the Direct Marketing Association (DMA) to leave you alone. All you have to do is send your name, home address and telephone number (including area code) to:

Telephone Preference Service  
Direct Marketing Association

Privacy Manager FAQ's

P.O. Box 9014  
Farmingdale, NY 11735-9014

The association updates its files four times each year, instructing members not to call you. But, not all telemarketers are members of the DMA, so this will not stop all calls. Privacy Manager will catch the rest for you.

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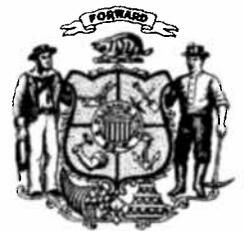
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# P R I V A C Y M A N A G E R

Privacy Manager is a groundbreaking new service available only from Ameritech.

\$3.95 - 4.95/mo.



[Privacy Manager Instructions](#)

**or Call to Order Today 1-888-635-5050**

- Stops unwanted, unidentifiable calls, like telemarketers, before your phone rings.
- Intercepts unavailable, blocked and private calls.
- Works with [Caller ID with Name](#) to identify 100% of incoming calls.
  
- Experience first-hand how [Privacy Manager works](#) through our interactive demonstration.
- Check [Privacy Manager availability online](#). See if you can take advantage of this groundbreaking new service.
- [Answers to your questions](#) are just a click away.
- [More information](#) about protecting your privacy

\$3.95 - 4.95/mo. [Privacy Manager Instructions](#)

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