

Assembly Hearing Slip

(Please print plainly)

Date: 6
 Bill No. AB 327
 Or
 Subject _____
 Name Shirley Handy
 (Street Address or Route Number) _____
 (City & Zip Code) _____
 (Representing) _____

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

Please return this slip to a messenger promptly.
 Assembly Sergeant at Arms
 Room 411 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6-5-97
 Bill No. AB 327
 Or
 Subject _____
 Name Sen. Bob Jauch
25th Senate District
 (Street Address or Route Number) _____
 (City & Zip Code) _____
 (Representing) _____

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

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 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6-5-97
 Bill No. AB-327
 Or
 Subject _____
 Name Rep. JOHN KAF
 (Street Address or Route Number) _____
 (City & Zip Code) _____
 (Representing) _____

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

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 Room 411 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6-5-97
Bill No. AB 327
Or
Subject
WAYNE COREY
(Name)
111 S. HAMPTON
(Street Address or Route Number)
MADISON 53701
(City & Zip Code)
INDEPENDENT BUSINESS
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

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Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: June 5, 1997
Bill No. AB 327
Or
Subject
RONALD L. PIERCE
(Name)
202 SOUTH FULTER STREET
(Street Address or Route Number)
EVANESVILLE WI 53536
(City & Zip Code)
EVANESVILLE STEWARDSHIP FUND
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: JUNE 5, 1997
Bill No. AB 327
Or
Subject
TOM CARLSON
(Name)
2100 E. MILWAUKEE ST.
(Street Address or Route Number)
EVANESVILLE, WI 53547
(City & Zip Code)
FAIRVIEW FLOREST
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

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Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6/5/97
Bill No. 327
Or
Subject

Noel Koppnow
(Name)
319 S. Prairie Ave
(Street Address or Route Number)
Waukegan 53186
(City & Zip Code)
Waukegan Floral Services Inc.
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; neither for nor against:

Please return this slip to a messenger promptly.

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Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6/5/97
Bill No. FLORIST BILL
Or
Subject

Arlet Jorgensen
(Name)
606 Oakwood Ct.
(Street Address or Route Number)
Hudson WI 54016
(City & Zip Code)
Hudson Flowershop
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; neither for nor against:

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: JUNE 5 1997
Bill No. AB 327
Or
Subject

Tony Ferdinand-Haenize Flor
(Name)
658 Fond du Lac Ave
(Street Address or Route Number)
Fond du Lac
(City & Zip Code)
WI 54935
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; neither for nor against:

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Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 5 June 97
Bill No. AB 327
Or. Floral
Subject Deb Bandon
(Name)
1725 Monroe
(Street Address or Route Number)
Madison WI
(City & Zip Code)
53711
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

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Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6/5/97
Bill No. AB 327
Or.
Subject
(Name) Patti McLaughlin
14653 710th St
(Street Address or Route Number)
Elsworth WI 54011
(City & Zip Code)
Elsworth Floral Boutique
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

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Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: June 5, 1997
Bill No. AB 327
Or.
Subject
(Name) Bill Demichen
2811 Agriculture Dr.
(Street Address or Route Number)
Madison 53708
(City & Zip Code)
DATCP
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

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Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Sen Clausung
 registered
 by phone
 for AB 327
 6/5/97

Assembly Hearing Slip

(Please print plainly)

Date: 5-5-97
 Bill No. AB327
 Or _____
 Subject Rep. Al Out
 (Name) _____
P.O. Box 112
 (Street Address or Route Number) _____
Lox Junction, VT.
 (City & Zip Code) _____
3rd Ass. Dist.
 (Representing) _____

Speaking in favor:
 Speaking against:
 Registering in favor:
 Registering against:
 Speaking for information only:
 Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 411 West
 State Capitol
 Madison, VT 53702

Assembly Hearing Slip

(Please print plainly)

Date: JUNE 5 1997
 Bill No. AB 327
 Or _____
 Subject "Truth in Location Bill"
 (Name) Rep Joe Plouffe
 (Street Address or Route Number) _____
 (City & Zip Code) _____
29th Assembly District
 (Representing) _____

Speaking in favor:
 Speaking against:
 Registering in favor:
 Registering against:
 Speaking for information only:
 Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 411 West
 State Capitol
 Madison, VT 53702

Assembly Hearing Slip

(Please print plainly)

Date: June 6th
Bill No. AB 327
Or. AB 327
Subject _____

(Name) John J. Ripka
(Street Address or Route Number) 714 Wilson
(City & Zip Code) G.B. 54303
(Representing) CONSTITUENT

Speaking in favor:
Speaking against:
Registering in favor:
Registering against:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6-5-97
Bill No. 327
Or. 327
Subject _____

(Name) MIKE METZ
(Street Address or Route Number) 111 S Hamilton
(City & Zip Code) MADISON 53703
(Representing) W/B

Speaking in favor:
Speaking against:
Registering in favor:
Registering against:
Speaking for information only; Neither for nor against:

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Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6-5-97
Bill No. AB 327
Or. AB 327
Subject Geographical Location

(Name) Joyce + Sheila Kujara/Green
(Street Address or Route Number) 1263 Shawano Ave Floral + Green
(City & Zip Code) Green Bay WI 54303
(Representing) Green Bay Floral

Speaking in favor:
Speaking against:
Registering in favor:
Registering against:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: June 5, 97
Bill No. AB 327
Or.
Subject

William A. Olson
(Name)
214 E Main
(Street Address or Route Number)
MT Horeh, WI 53572
(City & Zip Code)
Rick Skrivabrak
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

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Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6-5-97
Bill No. 327
Or.
Subject

JENE H. KUMMER
(Name)
8000 W. Capitol Dr.
(Street Address or Route Number)
MILWAUKEE, WIS
(City & Zip Code)
53222
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

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Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6/5/97
Bill No. AV 327
Or.
Subject

Buena Young
(Name)
N1109 530th St
(Street Address or Route Number)
Bay City WI
(City & Zip Code)
Ellsworth Floral Boutique
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

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Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: June 5
 Bill No. AB 327
 Or
 Subject _____

 (Name) David Hein Hein

 (Street Address or Route Number) 523 Maple Dr.

 (City & Zip Code) Plymouth Wis

 (Representing) Wis Upper Tech Fund Assoc.

Speaking in favor:
 Speaking against:
 Registering in favor:
 Registering against:
 Speaking for information only:
 Neither for nor against:
 Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
 Room 411 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: June 5, 1997
 Bill No. AB 327
 Or
 Subject _____

 (Name) RON SANDERSON

 (Street Address or Route Number) SID E. CENTERWAY

 (City & Zip Code) JAINESVILLE WI 53534

 (Representing) CENTERWAY FLORAL

Speaking in favor:
 Speaking against:
 Registering in favor:
 Registering against:
 Speaking for information only:
 Neither for nor against:
 Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
 Room 411 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: June 5, 1997
Bill No. AB 327
Or
Subject Telephone misrepresentation

Ben Kuehn
(Name)
2 E. Mifflin St. Suite 600
(Street Address or Route Number)
Madison, WI 53703
(City & Zip Code)

1. WI Assoc. of Life Underwriters
(Representing)
2. Private Ins. Agents
3. Independent Ins. Agents

Speaking in favor:
Speaking against:
Registering in favor:
Registering against:
Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 6-5-97
Bill No. AB 327
Or
Subject

Kelly Kennedy
(Name)
114 EAST
(Street Address or Route Number)
CAPITOL
(City & Zip Code)
D.O.J.
(Representing)

Speaking in favor:
Speaking against:
Registering in favor:
Registering against:
Speaking for information only:
Neither for nor against:

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Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Registrations for

- Senator Alice Clausing, 10th Senate District
- Representative Al Ott, 3rd Assembly District
- Representative Joe Plouff, 29th Assembly District
- Representative John J. Ryba, 90th Assembly District
- Mike Metz, W.I.B., Madison
- Jayme and Shelia Kujara, Green Bay Floral & Greenhouse, Green Bay
- Buena Young, Ellsworth Floral Boutique, Bay City
- Jene H. Kummer, Milwaukee
- William A. Olson, Mt. Horeb
- Ron Sanderson, Centerway Floral, Janesville
- David Hein, Wisconsin-Upper Michigan Florist Assn., Plymouth
- Ron Kuehn, WI Association of Life Underwriters, Private Insurance Agents, and Independent Insurance Agents, Madison
- Kelly Kennedy, Department of Justice

Registrations against

- None.

June 5, 1997

EXECUTIVE SESSION

Present: (7) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Black.

Absent: (1) Representative Hasenohrl.

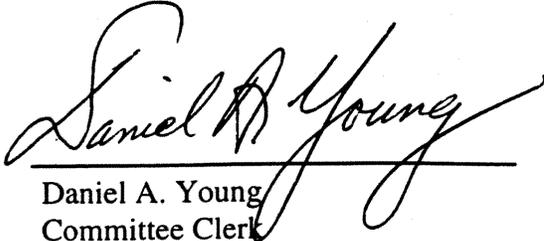
Moved by Representative Hasenohrl, seconded by Representative Ott, that **Assembly Bill 327** be recommended for passage.

Ayes: (6) Representatives Otte, Ott, M. Lehman, Urban, Hasenohrl and Black.

Noes: (1) Representative Johnsrud.

Absent: (1) Representative Williams.

PASSAGE RECOMMENDED, Ayes 6, Noes 1, Absent 1


Daniel A. Young
Committee Clerk

Registrations for

- Senator Alice Clausing, 10th Senate District
- Representative Al Ott, 3rd Assembly District
- Representative Joe Plouff, 29th Assembly District
- Representative John J. Ryba, 90th Assembly District
- Mike Metz, W.I.B., Madison
- Jayme and Shelia Kujara, Green Bay Floral & Greenhouse, Green Bay
- Buena Young, Ellsworth Floral Boutique, Bay City
- Jene H. Kummer, Milwaukee
- William A. Olson, Mt. Horeb
- Ron Sanderson, Centerway Floral, Janesville
- David Hein, Wisconsin-Upper Michigan Florist Assn., Plymouth
- Ron Kuehn, WI Association of Life Underwriters, Private Insurance Agents, and Independent Insurance Agents, Madison
- Kelly Kennedy, Department of Justice

Registrations against

- None.

June 5, 1997

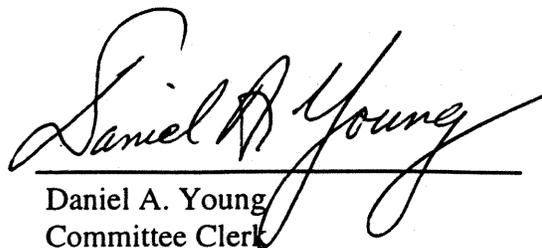
EXECUTIVE SESSION

Present: (7) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Black.
Absent: (1) Representative Hasenohrl.

Moved by Representative Hasenohrl, seconded by Representative Ott, that **Assembly Bill 327** be recommended for passage.

Ayes: (6) Representatives Otte, Ott, M. Lehman, Urban, Hasenohrl and Black.
Noes: (1) Representative Johnsrud.
Absent: (1) Representative Williams.

PASSAGE RECOMMENDED, Ayes 6, Noes 1, Absent 1


Daniel A. Young
Committee Clerk

Chiff:

Ref to AB 327. I wanted
you to have a copy of the
Virginia Law, just in case
you didn't.

John

G.S. It also passed the
Senate 40-2 last week.

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 904

An Act to amend and reenact § 59.1-69 of the Code of Virginia, relating to trade and commerce; use of fictitious names; misrepresentation of geographic origin.

[H 1510]

Approved April 10, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-69 of the Code of Virginia is amended and reenacted as follows:

§ 59.1-69. Certificate required of person, partnership, limited liability company or corporation transacting business under assumed name.

A. No person, partnership, limited liability company or corporation shall conduct or transact business in this Commonwealth under any assumed or fictitious name unless such person, partnership, limited liability company or corporation shall sign and acknowledge a certificate setting forth the name under which such business is to be conducted or transacted, and the names of each person, partnership, limited liability company or corporation owning the same, with their respective post-office and residence addresses (and, when (i) the partnership or limited liability company is a foreign limited partnership or limited liability company, the date of the certificate of registration to transact business in this Commonwealth issued to it by the State Corporation Commission, or (ii) when the corporation is a foreign corporation, the date of the certificate of authority to transact business in this Commonwealth issued to it by the State Corporation Commission), and file the same in the office of the clerk of the court in which deeds are recorded in the county or corporation wherein the business is to be conducted.

B. No person, partnership, limited liability company or corporation shall use an assumed or fictitious name in the conduct of its business to intentionally misrepresent the geographic origin or location of any such person or entity.



**Wisconsin
State Representative**

Mike Powers

80th Assembly District

P.O. Box 8953, Room 19 North, State Capitol
Madison, WI 53708-8953

608-266-1192 • Legislative Hotline 1-800-362-9472

Florists

Continued from Page 1A

come up first, even though many have no specific street address in that community. The listings have a local number, but the call is then routed through to the firm's headquarters in New Jersey.

In some cases, the firm has even used the names of actual florists or invented fictitious addresses in a community, the florists claimed.

"Last year, they usurped our name," complained Dee Bandow, owner of The Flower Shop in Madison. "This year, we're getting consumers who demand to know if we really are in Madison."

She said the firm's current Madison listing is Florist of Madison, and the person who takes calls in New Jersey often answers, "Our Flower Shop."

Added Patti McLaughlin, owner of the Ellsworth Floral Boutique, "It's difficult to build up a reputation when somebody else is pretending to be you."

According to some televised reports, the firm is now exploring new technologies so that its telemarketers can actually give the name and purported locale of the community the consumer believes he or she is calling.

"We are a victim of today's technology," complained Noel Lopppnow, owner of Waukesha Floral and Greenhouse. "We have to take some kind of action because we're all small businesses and we're all being threatened."

Florists seek to weed out N.J. business

By David Callender 6/5/97
The Capital Times

Florists from around Wisconsin today asked the state to nip a New Jersey telemarketing firm's business in the bud.

The firm, which operates under a variety of names, buys scores of phone-book listings in local communities then uses call-forwarding technologies so that callers believe they're actually getting a local florist.

Florists complain that the tactic constitutes "geographical misrepresentation" and, what's worse, they say, damages their businesses because the flowers the New Jersey firm delivers are often late, wilted and overpriced.

"As florists, we sell flowers, but we are really conveyors of sentiments and feelings, and those are far more perishable than the flowers we sell," said Tom Carlson, owner of Fairview Florist in Jamesville.

"Consumers are being misled, and I'm afraid that as a result, they will decide there are other ways besides florists to convey those feelings and those sentiments," he said.

The florists today asked the Assembly Committee on Consumer Affairs to add "geographic misrepresentation" to state laws against fraud and misrepresentation.

The move is backed by the Department of Agriculture, Trade, and Consumer Protection, which is working with the St. Croix County District Attorney to prosecute the New Jersey firm on several counts of misrepresentation.

Consumer protection administrator William Oemichen said the firm would be prosecuted under current state law, but the addition of "geographic misrepresentation" would make future violations easier to prosecute.

Most often, the florists say, the problems come when an out-of-town customer calls directory assistance and asks for a community florist. Often, the New Jersey firm's listings

Assembly

Committee Report

The committee on **Consumer Affairs**, reports and recommends:

Assembly Bill 327

Relating to: misrepresentations of the locations of businesses and providing a penalty.

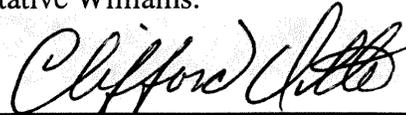
By Representatives Harsdorf, Powers, M. Lehman, La Fave, Albers, Freese, Plouff, Sykora, Krug, Wood, Porter, Hanson, Skindrud, J. Lehman, Hasenohrl, Ladwig, Seratti, Ott, Schafer, Vrakas and Gronemus; cosponsored by Senators Jauch, Panzer, Clausing, Wineke, Buettner, Breske, Moen, Schultz and Decker.

PASSAGE RECOMMENDED, Ayes 6, Noes 1, Absent 1

Ayes: (6) Representatives Otte, Ott, M. Lehman,
Urban, Hasenohrl and Black.

Noes: (1) Representative Johnsrud.

Absent: (1) Representative Williams.



Representative Clifford Otte
Chair

Bob Richards

Capital Street

CONSUMER WATCH

5-10-97

Beware of the 'win a prize' booths at the fair

Several weeks ago we reported the story of Bob Hunt, a Madison reader who has lost money more than once after signing up for vacation giveaways.

For Hunt and many consumers like him, the place it all starts is often at a fair or a trade show where they encounter booths inviting them to sign up for the chance to win.

A fair is a great place for a guy to set up a "win a prize" drop box to collect names that are then later used for telemarketing, explains Jim Rabbit, Consumer Investigation Supervisor at the Department of Agriculture, Trade and Consumer Protection. "Typically it's just an empty booth with a prize drawing box."

Rabbit says he and his staff have been speaking to the citizen boards that operate County Fairs throughout Wisconsin. "The scammers," he says, "look exactly like the legitimate guys because the legitimate guys are also set up in temporary booths with card tables."

"One of the things that became clear is that people going to fairs or those types

of outdoor events are relaxed, in a social setting, and not in a protective mode, and it's a perfect place for those guys to set up."

Rabbit says he suggests that fair boards consider rules for all their booths, such as requiring consumers to be told if their name will be used for telemarketing and requiring all booths to be attended. "Many of these guys," he says, "won't stand and face the customers."

Rabbit says every fair board he spoke with told him that, "Yes, they did have people last year soliciting consumers for these phony vacations."

So far, he says, fair boards in Sheboygan and Waukesha Counties have notified him that they have denied entrance to promoters that they had trouble with last year.

It's still very important, however, for consumers not to let their guard down.

Hunt thought he could resist the high-pressure sales tactics that he knew he would encounter, but found out otherwise. "It's too much of a throw of the dice," he says, "and they get your credit card number from you right away."

The Internal Revenue Service recently

seized financial records of an Iowa company which had been the subject of a DATCP consumer alert. Home Business Technologies, of Fairfield, Iowa, offers to help consumers start home businesses and sells starter kits. The company sells its product through television "infomercials" and at seminars held at hotels and motels.

"There is significant risk associated with a number of the home business programs and other types of 'get rich quick' schemes offered through these infomercials," says Trade and Consumer Protection Administrator Bill Oemichen. "Our experience is that the consumer spends significant amounts of money and the promised rewards certainly were not there."

Oemichen has urged Wisconsin television stations to air consumer warnings if they chose to accept the money that information producers pay to get their programs aired, and to consider avoiding the more questionable programs.

Oemichen says consumers who decide to attend a seminar need to be very careful. It's important, he says, to find out exactly what's being offered, what is the basis for the income claims, and what is the refund policy for the money they will

ask you to pay.

Consumers often later learn, he says, that the income claims were "widely exaggerated," and then "you have trouble getting your money back."

Can there be such a thing as "geographic misrepresentation"? Local florists in a number of Wisconsin communities apparently think so.

Oemichen says his agency is investigating complaints from flower shops in Appleton and other communities about a flower company whose telephone book advertising "makes it appear as though it is a local company."

When consumers call the company, Oemichen says, they don't know they are being forwarded to a New Jersey company that takes their order and arranges for the flowers to be delivered.

Oemichen says the situation has prompted some legislators to consider a law that would define geographic misrepresentation. His staff is also investigating whether consumers "are being misled into paying more because the company is located out of state."

Bob Richards is a Madison-based consumer advocate.

Vote Record

Assembly Committee on Consumer Affairs

Date: 6-5-97 Executive Session Public Hearing

Bill Number: AB 327

Moved by: Hasenohrl Seconded by: Ott

Motion: _____

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Present</u>	<u>Absent</u>
Rep. Clifford Otte, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. DuWayne Johnsrud	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Alvin Ott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Michael Lehman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Frank Urban	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Annette Polly Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Hasenohrl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Spencer Black	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>6</u>	<u>1</u>	<u>1</u>		

Motion Carried

Motion Failed

Flowers for Mother? Avoid this thorn

'Local' florist isn't and will charge you extra

By Rick Barrett

Business reporter

A day before Mother's Day, when florists are pushing petals as fast as they can, consumer protection officials have found some unusual thorns in the roses.

The problem is this: A company that advertises in the Yellow Pages under many names, sounding like local florists in Madison, Milwaukee, Fond du Lac and dozens of other cities, is in fact in New Jersey.

When you call "Florist of Madison" or "Florist of Milwaukee," your local call is silently routed to a switchboard in Randolph, N.J.

Your flower order is taken, as if the company were local. Then, "Our Flower Shop" of New Jersey charges an extra \$3 to \$20 to call a local florist and have your flowers delivered.

The company is misleading people and is charging for a worthless service, said Bill Oemichen, consumer protection administrator at the Wisconsin Department of Agriculture, Trade and Consumer Protection.

"It wouldn't be so bad if they identified themselves as being in

New Jersey, but when you call, you have no idea," he said.

Oemichen has had a dozen complaints about the company, including one from state Rep. John LaFave, D-Brown Deer, whose wife, Andrea, placed a flower order for a funeral — but the flowers weren't delivered.

"I was doubly hot about this, and felt deceived," Rep. LaFave said.

The company refused to give LaFave a refund, and instead offered to send flowers to his grieving

sister-in-law 10 days after the funeral.

"What is she supposed to do, start crying all over again? I could hardly believe it," he said.

The New Jersey company, which answers its telephones "Our Flower Shop," did not return three Wisconsin State Journal telephone calls. The Randolph, N.J., Chamber of Commerce said the company has a suite in a medical office building.

Oemichen said he's checking into legal options to force the company to change its business practices. Virginia, Maryland, Georgia and New Mexico have laws requiring a company to identify where it is doing business from.



HELP: If you have questions or complaints about a florist, call the Wisconsin Department of Agriculture, Trade and Consumer Protection toll-free at (800) 422-7128.

**Florists-Retail
(Cont'd)**

**A List Arranged By Location Follows
This Classification**

DIANA'S 5333 W Villard Av 462-2552
DISCOVER FLORAL ART 2209 S 29 383-0383
DON'S FLOWER SHOP
Weddings-Funerals-Roses-We Deliver
1314 W Wilbur Av **671-1611**

DURANTE FAMILY FLORAL

**OUR FAMILY SERVING YOUR
COMMUNITY SINCE 1950**

Fresh Cut Flowers
Silks • Plants • Giftware

MAJOR CREDIT CARDS ACCEPTED BY PHONE
4320 W Forest Home Av **541-8717**

EDEN

An Alternative Florist
Downtown Convenience
789 N Jefferson **291-9314**

ELEGANCE IN BLOOM FLORAL

N112 W16700 Mequon Rd Grmntn **253-4680**

ELM GROVE FLOWER SHOP

13458 Watertown Plk Rd Elm Grv **782-8380**

FLETCHER'S FLOWERS & GIFTS

1518 E Capitol Dr **963-9555**

(See Display Ad Page 616)

FLORAL ACRES GREENHOUSE

2281 Hy 33 E W Bnd **800 378-1142**

FLORAL ARRANGEMENTS R US

4410 W Burleigh **445-5479**

FLORAL CONSULTANTS 906 E Center

..... **265-7307**

FLORAL-IFIC CREATIONS

2437 W Mill Rd **352-9569**

FLORIST OF БЕЛОIT

..... **354-0211**

FLORIST OF BROOKFIELD Brkfld

..... **879-0330**

FLORIST OF CUDAHY

..... **769-7000**

FLORIST OF FOX POINT

..... **351-2035**

FLORIST OF FRANKLIN

Frkin **Milw Teleph No 529-0390**

FLORIST OF GLENDALE

Glendale **Milwaukee Teleph No 961-9294**

FLORIST OF GREENFIELD

Grnfd **Milw Teleph No 543-1350**

FLORIST OF MILWAUKEE

Milw **Milwaukee Teleph No 354-1120**

FLORIST OF NEW BERLIN

New Berlin **Milwaukee Teleph No 782-6120**

FLORIST OF OAK CREEK

Oak Creek **Milwaukee Teleph No 571-4190**

FLORIST OF RIVER HILLS

..... **352-0076**

FLORIST OF ST FRANCIS

St Francis **Milwaukee Teleph No 481-0140**

FLORIST OF SHOREWOOD

Shorewood **Milwaukee Teleph No 963-0071**

FLORIST OF WAUWATOSA

Wauwatosa **Milwaukee Teleph No 774-8014**

FLORIST OF WEST ALLIS

W Allis WI **Milwaukee Teleph No 257-1445**

FLORIST OF WHITEFISH BAY

Whitefish Bay **Milwaukee Teleph No 962-0395**

FLORISTS NETWORK

..... **800 356-7263**

(See Display Ad Previous Page)

FLOWER BOX THE

"FLOWERS SAY IT BEST"

- Silk & Fresh Wedding Flowers
- Arrangements
- Modern & Traditional Funeral Bouquets
- Fruit Baskets
- All Major Credit Cards Accepted
- Wire Service
- Green Plants
- Balloons
- City Wide Delivery

312 S 27 **761-2811**

WER COMPANY THE

17 W Burnham **645-8100**

VER GARDEN 202 North Av Hlnd **367-8205**

ER LADY THE 7487 Harwood Av **259-0999**

WER SHOPPE THE

W16585 Appleton Av Men Fls **251-2490**

(See Display Ad Page 615)

WER SOURCE

ENHOUSE &

EDEN CENTER

7 Days A Week

411124 Pilgrim Rd Grmntn **251-7673**

Continued Page Number 615

WORLDPERKS VISA

Issued by First Bank of South Dakota

Customer name: John L Lafave
 Andrea T La Fave

Account number:

Statement date: Apr. 4, 1997

Mar. 28	HEINEMANN'S RESTAURANT	MILWAUKEE WI	7.47
Mar. 28	PAVILION VISION CENTER	MEQUON WI	115.00
Mar. 29	SUNCOAST PICTU 5030150	MILWAUKEE WI	42.14
Mar. 29	GIL'S ESPRESSO BONGO L	MILWAUKEE WI	13.61
Mar. 29	PIZZA MAN	MILWAUKEE WI	18.03
Mar. 29	BOSTON STORE NORTHRIDG	MILWAUKEE WI	47.52
Mar. 30	HOWARD JOHNSON REST'RNT	MADISON WI	20.99
Mar. 31	MENARDS MONONA YARD	MONONA WI	101.08
Mar. 31	KLIPPEL'S MINI MART	MADISON WI	13.22
Apr. 1	FLOWERS W/GIFTED ELEGA	908-766-9550 NJ	58.95
Apr. 2	AAA WISCONSIN	DEARBORN MI	68.00
Apr. 2	DOTTY DUMPLINGS DOWRY	MADISON WI	9.50
Apr. 3	USPS 5654840223	MILWAUKEE WI	46.00



State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection

Alan T. Tracy, Secretary

2811 Agriculture Drive
Madison, Wisconsin 53704-6777

PO Box 8911
Madison, WI 53708-8911

DATE: June 5, 1997

TO: Assembly Consumer Affairs Committee

FROM: William L. Oemichen, Administrator
Division of Trade and Consumer Protection

RE: AB 327: Geographic Misrepresentation Bill

The Department of Agriculture, Trade and Consumer Protection strongly supports AB 327, a bill proposed by Rep. Sheila Harsdorf and other legislators to amend s. 100.18 to prohibit geographic misrepresentation.

Our support is based upon an investigation we are conducting. Nightmares, Inc. is a New Jersey Company that has advertised itself in a number of Wisconsin telephone books as either "Flowers in [name of Wisconsin city]" or "Flowers of [name of Wisconsin city]." We have received complaints against this company from Representative Harsdorf and other legislators. The complaints from consumers state: (1) the consumer intended to order flowers from a local flower shop, (2) the consumer's call was automatically forwarded to Nightmares, Inc. without the consumer's knowledge, (3) the consumer ordered flowers from the company partially on the belief the store was based locally, (4) the flowers purchased were more expensive than locally purchased flowers would have been, and (5) the ordered flowers never arrived or were of lesser quality than expected.

We have also interviewed a number of Wisconsin florists in nearly every part of the state. All believe Nightmares, Inc. is engaging in misrepresentation and have cost them business.

We have found that Nightmares, Inc. has advertised its business in a large number of Wisconsin telephone books. Besides listing the firm as a florist shop "in" or "of" the community, all advertisements include a local telephone number. Furthermore, some listings include what appears to be a local street address. In Hudson, Nightmares, Inc. has taken the name already used by a local florist shop.

Testimony of AB 327

June 5, 1997

Page Two

Our investigation has disclosed that Nightmares, Inc. utilizes a remote call forwarding system offered by Atlantic Bell, Ameritech, and other telephone companies. Consumers do not receive notification their call has been automatically forwarded to New Jersey. Moreover, our investigators called and determined it was nearly impossible to get the firm's operators to identify they were in New Jersey even when directly asked the question. Rather, the operators attempted, for as long as possible, to give the impression the flower shop was located in the community.

We have also determined Nightmares, Inc. charges \$3.00 to \$18.00 more for flowers ordered through the firm. This contrasts with the \$3.75 FTD charge for wiring flowers.

We are working closely with the St. Croix County District Attorney on this case. Our intention is to determine if we may successfully prosecute Nightmares, Inc. under Wisconsin Statutes 100.18.

We believe AB 327 would greatly considerably strengthen the law on geographic misrepresentation.

Several states have adopted legislation to respond to concerns expressed by in-state florists. Georgia and Florida have adopted legislation to ban the use of fictitious business names. We understand Maryland and New Mexico are also considering legislation addressing this issue.

Thank you for providing us with an opportunity to present our agency's views on this legislation.



FROM: WAYNE COREY
Executive Director



AB 327 ESSENTIAL LEGISLATION FOR WISCONSIN BUSINESSES

PREPARED FOR : THE ASSEMBLY COMMITTEE ON CONSUMER AFFAIRS

DATE : June 5, 1997

Assembly Bill 327 will stop an unfair business practice.

AB 327 makes it legally "deceptive and misleading" to use the name of a community to give the public the impression the business is located in that community if, in fact, the business is located elsewhere. Such business practices would be subject to penalty under Wisconsin's fraudulent representations law.

The most commonly cited use of this technique occurs in the floral industry. A New Jersey company obtains local telephone numbers and telephone book listings suggesting that the florist is in the local community. However, the phone actually rings in New Jersey. A floral order is taken with the unsuspecting consumers believing they have placed the order with a hometown florist. The practice is deceptive. AB 327 will stop that method of doing business.

AB 327 enjoys bipartisan support from legislators in all regions of the state. This type of fraudulent misrepresentation has occurred throughout Wisconsin. It can be stopped by AB 327.

So prevalent is this practice that NBC Television recently featured it on its prime time magazine program, "Dateline". Although the initial attention has been drawn to the floral industry, other businesses could, obviously, fall victim to a similar scheme.

On behalf of the 50,000+ people who own 16,000 businesses and 9,000 farms served by WIB, we thank the committee for your interest and support of AB 327.

Wisconsin Independent Businesses, Inc.