

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

LRB-2432/1dn
MDK:cmh:mrc

September 16, 1999

Senator Erpenbach:

Please review this bill very carefully to make sure that it achieves your intent. I was not sure how closely you want to model this bill on the Florida legislation, so I drafted the bill to provide some flexibility to DATCP to determine by rule the amount of the registration fee for telephone solicitors and the requirements and procedures for a residential customer listing. I chose DATCP as the agency to administer the bill's requirements, rather than the PSC, because the bill's requirements apply to telephone solicitors, as opposed to telecommunications utilities.

Also note that the bill's \$10,000 forfeiture applies to a person who employs another person to make a telephone solicitation, rather than to the person who actually makes a telephone solicitation. In addition, note that under this bill and s. 134.95 (2), stats., an additional \$10,000 forfeiture may be assessed against a telephone solicitor who perpetrates a violation against an elderly person. Is this okay?

If you have any questions or redraft instructions, please contact me.

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