

Senate

COMMITTEE HEARINGS

Committee on Privacy, Electronic Commerce and Financial Institutions

The committee will hold a public hearing and possible **executive session** on the following items at the time specified below:

Monday, December 6, 1999
6 - 9pm
Menomonie Public Library
600 Wolske Bay Rd
Menomonie, WI

Senate Bill 267

Relating to: prohibiting certain telephone solicitations, requiring the registration of telephone solicitors, requiring the exercise of rule-making authority, making an appropriation and providing a penalty.

By Senators Clausing, Erpenbach, Jauch, Decker, A. Lasee, Roessler, Moen and Darling; cosponsored by Representatives Black, Schneider, Lassa, Bock, Ryba, M. Lehman, Kreuser, Musser, Balow, Plouff, Hasenohrl, Steinbrink and Suder.

Senate Bill 248

Relating to: requiring certain disclosures in advertising per-minute rates for long distance service and providing a penalty.

By Senators Jauch, Erpenbach, Plache, Darling and Roessler; cosponsored by Representatives Wasserman, Hutchison, Schneider, Musser, Miller, Black, Bock, Gunderson, Sinicki, Williams, Berceau and Reynolds.

An Executive session may be held on these or any items currently available for action by the committee.

Senator Jon Erpenbach
Chair



State Senator
Chuck Chvala
SENATE MAJORITY LEADER

NOV 29 1999

November 23, 1999

The Honorable Jon Erpenbach
Wisconsin State Senator
Rm. No. 20 S., Capitol
Madison, WI 53703

Dear Senator Erpenbach:

The Senate Committee on Organization has approved your request for the Members of the Senate Committee on Privacy, Electronic Commerce and Financial Institutions to travel to Menomonie, Wisconsin on December 6, 1999 for the purpose of conducting a Public Hearing on telemarketing legislation and the "Minute Means a Minute" measure.

It is the Committee's understanding that you are seeking reimbursement for all actual and necessary expenses associated with the committee members' attendance at this hearing. It is further understood that you are seeking approval for additional staff support from the Senate Sergeant-at-Arms and transportation as needed.

Your request has been approved contingent upon the Senate not being in session. Please let me know if you have any questions.

Sincerely,

CHUCK CHVALA
Chairman
Senate Committee on Organization

JON ERPENBACH

STATE SENATOR

SB-267

**** MEDIA ADVISORY ****

December 6, 1999

CONTACT: Senator Jon Erpenbach
(608) 266-6670

***Senate Committee to hold a public hearing
in Menomonie, Wisconsin
on December 6, 1999***

The Senate Committee on Privacy Electronic Commerce and Financial Institutions, which is chaired by State Senator Jon Erpenbach (D-Middleton), has scheduled a public hearing on December 6, 1999 from 6:00—9:00 P.M. at the Menomonie Public Library, 600 Wolske Bay Road.

The committee will receive public testimony on two pieces of legislation, Senate Bill 267 and Senate Bill 248. Senate Bill 267, which is authored by Senator Alice Clausing (D-Menomonie), places new restrictions on telemarketing in Wisconsin. Senate Bill 248, which is authored by Senator Bob Jauch (D-Poplar), requires certain disclosures in advertising per-minute rates for long distance telephone service.

If you would like additional information about the hearing, please contact Senator Erpenbach at (608) 266-6670.

- 30 -

SEND INVOICE IN TRIPLICATE TO:
 SENATE CHIEF CLERK
 P.O. BOX 7882
 MADISON, WI 53707-7882

STATE OF WISCONSIN
 PURCHASE ORDER

ENTER TYPE CODE

- 1 - Regular
- 2 - Change Previous
- 3 - Cancel Previous
- 4 - Interagency
- 5 - Blanket-Non Contract
- 8 - Blanket-Contract
- G - Grant (Pass-tru)
- L - Master Lease Program
- P - Project (Construction)

PURCHASE ORDER NUMBER
SNJ 019
 SHOW THIS NUMBER ON ALL SHIPMENT
 CORRESPONDENCE AND INVOICES

DATE: Dec. 1, 1999

Fund 02	Dept. 765	App. 103	L1 01	L2 12	L3	Proj. 34	Class 3300	F 10	Cen Acctg.	For Agency Use	Requisition No. DEC 01 1999
------------	--------------	-------------	----------	----------	----	-------------	---------------	---------	------------	----------------	---

Vendor

 Days Inn
 6319 Truax Lane
 Eau Claire, WI 54703
 Attn Stacy

1-800-950-4850

Federal Employer Identification No./Social Security No.

SHIP TO:

FOB	Terms Net 30	Delivery	Reference	Bid No.	State Procurement Bulletin No
-----	-----------------	----------	-----------	---------	-------------------------------

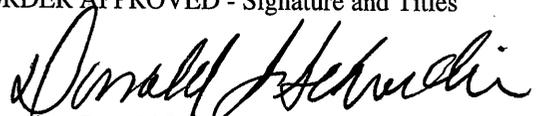
Item	Quantity	Unit	Item Description	Commodity Code	Unit Price	Total
			5 Rooms (Room Only) For Monday Dec. 12, 1999 Senator Jon Erpenbach Senator Bob Jauch Mr. Neal Valley Mr. Jon Hockammer Ms. Julie Laundrie			

*Julie -
 HERE is the
 P.O., I Faxed
 a copy to Stacy @
 DAYS Inn
 Questions Call me.
 Rob 6-2517*

AGENCY CONTACT - Name and phone no.
MONIC RONE - 608 266 2517
is general

PLEASE NOTE
 Deliver between 8 A.M. and 3 P.M.
 No Saturday, Sunday or Holiday deliveries.
 Acknowledge this order promptly.
 Accompany each delivery with a shipping ticket or memo showing Purchase Order Number and material furnished.
 If any item(s) on this order is a hazardous chemical, as defined under 29 CFR 1910.1200, provide one copy of a Material Safety Data Sheet for each item with the shipped contained and one copy with the invoice.
 VENDOR - See Other Side for Standard Terms and Conditions of Purchase

TAX EXEMPTIONS
 The State of Wisconsin and its agencies are exempt from payment of all federal tax and Wisconsin state and local taxes on its purchase except Wisconsin excise or occupation tax as described on the back of this form. The State of Wisconsin does not issue a tax exempt for state agencies.
 Federal Exemption No. 39-73-1021-K is on file with the Internal Revenue Service, Milwaukee.

ORDER APPROVED - Signature and Titles

 Donald J. Schneider Senate Chief Clerk



Search for:



[Help](#)
[Feedback](#)

[Lycos](#) → [Yellow Pages](#) → [Driving Directions](#)

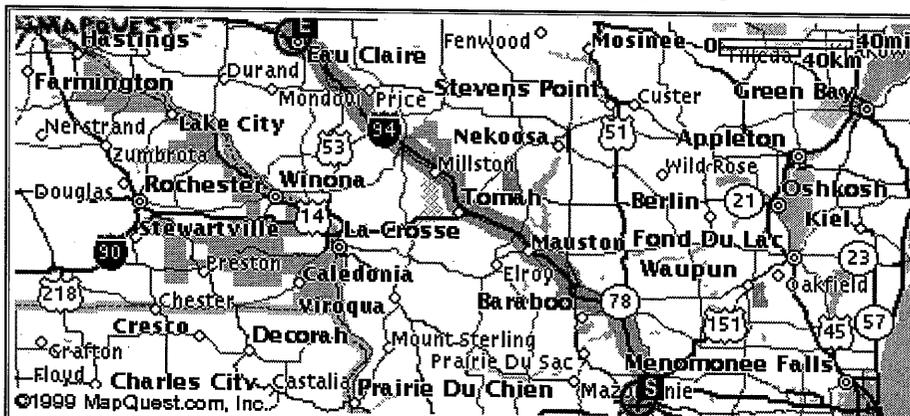
Answers
for your Holiday Shopping  [click here!](#)
please visit our sponsor

DRIVING DIRECTIONS

[Back to Yellow Pages](#)

Your directions are below.
You can also [create a map](#) or get additional [driving directions](#).

Door to Door Directions

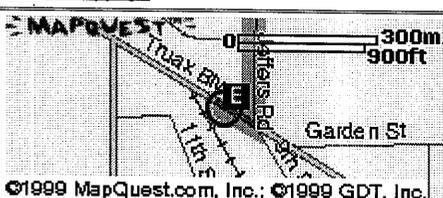


Use Subject to License / Copyright



©1999 MapQuest.com, Inc.; ©1999 GDT, Inc.

Start
17 S Fairchild
Madison, WI



©1999 MapQuest.com, Inc.; ©1999 GDT, Inc.

Destination
6319 Truax Lane
Eau Claire, WI

From:	17 S Fairchild Madison, WI
To:	Neighborhood of 6319 Truax Lane Eau Claire, WI
Directions	Distance
There are 0.27 miles between 17 S Fairchild and the start of the directions. Use local roads to get to the start of the directions.	
1: Start out going Northeast on US-151 by turning left.	6.6 miles

2: Take the I-90 WEST/I-94 WEST ramp towards WIS DELLS.	0.3 miles
3: Merge onto I-90 W/I-39 N/I-94 W.	26.6 miles
4: Stay straight to go onto I-90 W/I-94 W.	63.5 miles
5: Take I-94 W towards EAU CLAIRE/ST PAUL.	0.4 miles
6: Merge onto I-94 W.	75.5 miles
7: Take the US-53 exit, exit number 70, towards EAU CLAIRE/CHIPPEWA FALLS.	0.2 miles
8: Keep RIGHT at the fork in the ramp.	0.5 miles
9: Merge onto US-53 N.	5.6 miles
10: Take the WI-124 SOUTH/NORTH CROSSING exit towards (I-94 WEST).	0.3 miles
11: Turn LEFT onto WI-124 S.	2.5 miles
12: Turn LEFT onto JEFFERS RD.	0.6 miles
13: Turn RIGHT onto US-12 BR.	0.0 miles
Total Distance:	182.7 miles
Estimated Time:	3 hours, 32 minutes

Display Options:

[Text Only](#)
 [Text with Overview Map](#)
 [Text with Turn-by-Turn Maps](#)

[Redisplay Results](#)

[Link to Us](#) |
 [Add / Change Your Listing](#) |
 [Buy Ads Online](#) |
 [Privacy Policy](#)
[Internet Access](#) |
 [Buy a Phone Book](#)

[Home](#) |
 [Yellow Pages](#) |
 [Idea Pages](#) |
 [Shopping Pages](#) |
 [City Pages](#) |
 [Advertise](#) |
 [About Us](#)

Copyright© 1999 Lycos, Inc. All Rights Reserved. Lycos® is a
 registered trademark of Carnegie Mellon University.
[Our Privacy Vow](#)
 [Terms and Conditions](#)
 [Standard Advertising Terms and Conditions](#)



superpages.com

Copyright © 1999 GTE New Media Services, Inc. a part of [GTE Corporation](#). All rights reserved.

Days Inn West
6319 Truax Ln
Eau Claire

Exit 59 off of interstate

800-950-4850
715-874-5550

Gacey

Jan Epenbach - smoking rm

Julie Landrie - non

Pages - Neil Valley
HH

Jon Hebbamer - Pgs

Kim **NO** Neche?

Jessica
Ford

Robert Jarch? - **non**

Scott Fitzgerald? no - will drive back if goes

Keri - WIZPRG
251-1918
- volunteers 10 ~~min~~
lines or less
- phone called by
volunteer
- member

*League of Women Voters

Justice
AARP
GWAG
ACLU
United Way

- Call Jan Hock
- Call Shirley Ford
when
- call committee
members

REBECCA KATENS

PHONE CANVASSING

CLEAN WATER -

920-437-7304.

fax →

1270 Main St
Suite 120
Green Bay, WI
54302

Roll Call

12-6-99

	<u>Present</u>	<u>Absent</u>
Sen Erpenbach	✓	
Sen Fitzgerald		
Sen Jauch		
Sen Plache		
Sen Rude		

How Home
Should be
a Place of Peace...

SB 267

Questions & Answers

Why not charge consumers a registration fee?

When we charge a fee we put a price on personal privacy. That is wrong.

This is a problem without a remedy resulting from industry action. The telemarketing industry should carry the cost, not the consumer.

Doesn't this bill create another list that would be available under Wisconsin's open record law?

That is possible. But, I am reluctant to begin tampering with the open record law without demonstrating more than a potential for misuse. I believe the security of the list and its integrity will be determined through the administrative rules the Department will promulgate.

Why exempt nonprofit groups?

That was a difficult question. Americans are generous people and we traditionally grant charitable, educational and religious groups special standing through tax exemptions and other exceptions to general government policy. This continues that policy. I understand that some charitable groups are still nervous about this proposal.

Good.

Non-profit groups exist by the grace and support of the public and need to be aware that the level of respect they show for individuals who do not wish to be called at home will be examined, if not regulated.

The scams and scam artists masquerading as philanthropic groups will come under our existing consumer protection laws.

Does this bill limit free speech?

No. Any group or individual may telephone any person with a political, issue or informational message. But if that group makes a profit selling their information - well they had better respect the "No Call" list.

There appears to be a cost to the taxpayers as a result of this proposal. Was that your intent?

After discussions with the Department, we were able to make adjustments that shifted the cost of this from the taxpayers to the telemarketing industry. DATCP has been very helpful in helping us develop this proposal. They have spoken

with Florida about their start-up experiences so I am confident that the amended fiscal note will reflect these changes.

- * Minute means a minute
- * Protect consumers from deceptive advertising
- * Explain all charges — if introductory
charges per minute if not a
per minute
All charges must be clearly explained

LE Phillips Senior Center, Eau Claire Wisconsin
1616 Bellinger St
Eau Claire
3pm Press Conference
715-839-4909
Confirmed 11/15

Menomonie Public Library
600 Wolske Bay Rd
Menomonie, WI
6pm Hearing
715-232-2164
Confirmed 11/18

Hwy 53 exit
53 to Main Street (stoplight)
Left on Main
Main to Farwell
Rt on Farwell
Farwell to Madison
Lft on Madison
Madison to corner of Madison
+ Bellinger

Media

SENATE DISTRICT #Name?

TITLE ADDRESS PHONE FAX NEWS DIRE DEADLINE TV Affiliate

DAILY

Capitol News Service	121 E Main St, Ste 300 Madison WI 53703	(608) 258-9977	(608) 258-0377	Stan Milam	News: 11am	
Duluth News Tribune	424 W First St Duluth MN 55816-9000	(218) 723-5281	(218) 720-4120	Steve Kuchera, News Desk	News: Noon/Ad: 4pm 2 days prior	
✓ Leader-Telegram (Eau Claire)	701 S Farwell St Eau Claire WI 54702	(715) 833-9211	(715) 833-9201	Doug Mell, Managing Editor	News: Noon/Ads: By 10am two days prior	
Minneapolis Star-Tribune	425 Portland Ave S Minneapolis MN 55488	(612) 673-4000	(612) 673-4359	Roger Buoen, National Editor	News: 2pm	
Republican Eagle	2760 N Service Dr Red Wing MN 55066	(651) 388-8235	(651) 388-3404	Ann Jacobson	News: 11am/Ad: Two days prior by Noon	
✓ St. Paul Pioneer Press	345 Cedar St St. Paul MN 55101	(651) 228-5473	(651) 228-5500	Don Wyatt	News: 5pm/Ad: Noon on Wed.	

RADIO

✓ KCUE-AM/KWNG-FM	PO Box 102 Red Wing MN 55066	(651) 388-7151	(651) 388-7153	Nick Barlow, News Director		
KDAL-AM/FM/WDSM-AM/KRBR-FM	425 W Superior St Duluth MN 55802	(218) 722-4321	(218) 722-4462	Kristi Geurink, News Director		
✓ KDWA-AM	18th & Vermillion Hastings MN 55033	(651) 437-1460	(651) 438-3042	Maggie Kelly, News Director		
KQDS-FM	2001 London Rd Duluth MN 55816-0167	(218) 728-6421	(218) 728-5809	Vicki Kaping, News Director		
KSTP-AM/FM	3415 University Ave Minneapolis MN 55414	(651) 642-4141	(651) 642-4148	John Heide, News Director		
WAOE-AM/FM	PO Box 703 Rice Lake WI 54868	(715) 234-9059	(715) 234-1955	Don Tobias, News Director		
✓ WAXX-FM/WAYY-AM/WVEAD-AM/WIAL-FM/WWEC-L-FM	PO Box 1 Eau Claire WI 54702	(715) 832-1530	(715) 832-5329	Chris Duquette, News Director		

TITLE	ADDRESS	PHONE	FAX	NEWS DIRE	DEADLINE	TV Affiliate
WBIZ-AM/FM/WATQ-FM/WQRB-FM/WMEQ-AM/FM	619 Cameron St Eau Claire WI 54702-0024	(715) 850-4000	(715) 552-5154	Lisa Patrow, News Director		
WCCO-AM	625 Second Ave S Minneapolis MN 55403	(612) 370-0611	(612) 370-0410	Steve Murphy, Jeff McKinney, News		
WCFW-FM	318 Well St Chippewa Falls WI 54729	(715) 723-2257	(715) 723-8276	Roland Bushland, News Director		
WCMP-AM/FM	Rte 2 Pine City MN 55063	(320) 629-7575	(320) 629-3933	Dave Ghtmel, News Director		
WCSW-AM/WGMO-FM	PO Box 190 Shell Lake WI 54871	(715) 468-2123	(715) 468-2811	Ingrid Berg, News Director		
WEBC-AM/KKOB-FM/KLDJ-FM	1001 E Ninth St Duluth MN 55805	(218) 728-4484	(218) 728-1779	Dave Walter, News Director		
WEVR-AM/FM	178 Radio Rd River Falls WI 54022	(715) 425-1111	(715) 425-1111	T. J. Campbell, News Director		
WEZU-AM/WIXK-AM/FM	125 E Third St New Richmond WI 54017	(715) 246-2254	(715) 246-7754	Jeff Peterson, News Director		
WHSM-AM/FM	15880W US Hwy 63 Hayward WI 54843	(715) 634-4836	(715) 634-8256	Doug McGarthwaite, News Director		
Wisconsin Public Radio	3319 W Bellline Madison WI 53713	(608) 263-3970	(608) 263-9763	Connie Walker, News Director		
WJMC-AM/FM	1859 21st Ave Rice Lake WI 54868	(715) 234-2131	(715) 234-6942	Ken DeNucci, News Director		
WMIN-AM/WDGY-AM	PO Box 25130 St Paul MN 55125-0130	(651) 436-7212	(651) 436-5018	Tom Witchen, News Director		
WOGO-AM/WWIB-FM	5558 Hallie Rd Chippewa Falls WI 54729	(715) 723-1037	(715) 723-1348	Mark Halverson, News Director		
WOJB-FM	Rte 2 Hayward WI 54843	(715) 634-2100	(715) 634-3906	Loni Townsend, News Director		
WFRDN-AM/FM	114 W Main St Durand WI 54736	(715) 672-8989	(715) 672-4622	Mary Treflin, News Director		
WFRFW-FM	UW-River Falls River Falls WI 54022	(715) 425-3887	(715) 425-0658	News Director		

TITLE	ADDRESS	PHONE	FAX	NEWS DIRE	DEADLINE	TV Affiliate
WRSL-FM	Radio Hill Rd Hayward WI 54843	(715) 634-4871	(715) 634-3025	Bob Hague, News Director		
WVSS-FM	UW-Stout Eau Claire WI 54701	(715) 839-3868	(715) 839-2939	Mary Jo Wagner, News Director		
WWJC-AM	1120 E McCluen St Duluth MN 55808-2199	(218) 626-2738	(218) 626-2585	Ted Elm, News Director		
WXCE-AM	RR 4 Amery WI 54001	(715) 268-7185	(715) 268-7187	Kurt Mayer, News Director		
TELEVISION						
KBJR-TV, Channel 6	230 E Superior St Duluth MN 55802	(218) 720-9666	(218) 720-9660	Gina Katzmark, Assignment Editor	Ad: Two days prior by Noon.	NBC
KDLH-TV, Channel 3	425 W Superior St Duluth MN 55802	(218) 727-6883	(218) 727-2332	Heather Zabel, Assignment Editor	Ad: 24 hours prior	CBS
WDIO-TV, Channels 10 & 13	10 Observation Rd Duluth MN 55816	(218) 727-6864	(218) 727-2318	Jeff Potts, Assignment Editor		ABC
WEAU-TV, Channel 13	1907 S Haslings Way Eau Claire WI 54701	(715) 839-9328	(715) 832-3476	John Hoffland, News Director	Ad: Three days prior	NBC
WEUX-TV, Channel 48	1324 W Clairemont Ave Eau Claire WI 54701	(715) 831-2548	(715) 831-2550	No News Department		FOX
WKBT-TV, Channel 8	141 S Sixth St La Crosse WI 54601	(608) 784-7897	(608) 782-4672	Mickey Spors, Assignment Editor	Ad: Four days prior	CBS
WQOW-TV, Channel 18	2881 South Hastings Way Eau Claire WI 54701	(715) 831-1824	(715) 831-1859	Christine Russell, Assignment Editor	Ad: Three days prior	ABC
WEEKLY						
Agri-View	700 E State St Jola WI 54990-0001	(608) 250-4182	(608) 250-4155	Joan Samstadt, Editor	Monday by 4:00 p.m.	
Amery Free Press	215 S Keller Ave Amery WI 54001-0338	(715) 268-8101	(715) 268-5300	Jerry Sondreal, Editor	10:00 a.m. Fri. for all papers the following week.	
Baldwin Bulletin	805 Main St Baldwin WI 54002	(715) 684-2484	(715) 684-4937	Tom Hawley, Editor	Monday at 4:00 p.m.	
Burnett County Sentinel	114 Madison Ave Grantsburg WI 54840	(715) 463-2341	(715) 463-5138	Byron Higgin, Editor	Monday at 5:00 p.m.	

TITLE	ADDRESS	PHONE	FAX	NEWS DIRE	DEADLINE	TV Affiliate
Central St. Croix News	815 Davis Street Hammond WI 54015	(715) 796-2355	(715) 796-2355	Art Groth, Editor	Previous Fri. by 5:00 p.m.	
County Ledger Press	105 Main St Balsam Lake WI 54810	(715) 485-3121	(715) 485-3037	Tom Miller, Editor	Noon on Tuesdays	
✓Dunn County News	710 Main St Menomonie WI 54751	(715) 235-3411	(715) 235-0936	Jim Kleinhaus, Editor	Wed @ Noon & Mon. @ Noon.	
✓Durand Courier-Wedge	103 W Main St Durand WI 54736	(715) 672-4252	(715) 672-4254	Karl Drews, Editor	Tuesday at Noon	
Eimwood Argus	216 S McKay Ave Spring Valley WI 54767	(715) 778-4395	No Fax	Duane Kelley, Editor	Friday by Noon.	
Hudson Star-Observer	226 Locust St Hudson WI 54016	(715) 386-9333	(715) 386-9891	Douglas Stohberg, Editor	Fri. by 11:00 a.m. for following week	
✓Inter-County Leader	303 N Wisconsin Ave Frederic WI 54837	(715) 327-4236	(715) 327-4870	Gary King, Editor	By Noon Tuesday.	
Luck Enterprise	222 Main St Luck WI 54853	(715) 472-2780	(715) 485-3037	Tom Miller, Editor	Noon on Tuesday	
✓News	127 S Knowles New Richmond WI 54017	(715) 246-6881	(715) 246-7117	Bob Zientara, Editor	Tuesday at Noon	
News From Indian Country	Rte 2, Box 2900-A Hayward WI 54843	(715) 634-5226	(715) 634-3243	Paul DeMain, Editor	1st & 3rd Thurs. of every month	
Osceola Sun	108 Cascade St Osceola WI 54020	(715) 294-2314	(715) 755-3314	Julie Holmquist, Editor	Monday at Noon	
✓Pierce County Herald	126 S Chestnut Ellsworth WI 54011	(715) 273-4334	(715) 273-4335	Bill Kirk, Editor	Friday @ 3:00 p.m.	
✓Prescott Journal	311 Dakota St Prescott WI 54021	(715) 262-5454	(715) 262-5474	Rob Bignell, Editor	Monday @ Noon	
✓River Falls Journal	112 E Walnut St River Falls WI 54022-0025	(715) 425-1561	(715) 425-5666	Phil Pluehier, Editor	Mon. by Noon.	
Spoooner Advocate	509 Front St Spoooner WI 54801	(715) 635-2181	(715) 635-2186	Bill Thornley, Editor	Monday @ 5:00 p.m.	
Spring Valley Sun	216 S McKay Ave Spring Valley WI 54767	(715) 778-4395	(715) 778-4395	Duane Kelley, Editor	Friday at Noon	

TITLE	ADDRESS	PHONE	FAX	NEWS DIRE	DEADLINE	TV Affiliate
Standard Press	116 Washington S St. Croix Falls WI 54024	(715) 483-3330	(715) 485-3037	Tom Miller, Editor	Tuesday @ 10:00 a.m.	
Times	PO Box 88 Turtle Lake WI 54889	(715) 986-4675		Anne Slack, Editor	Advertising and News by 10am on Tuesday	
✓ Tribune Press Reporter	217 Oak St Glenwood City WI 54013	(715) 265-4646	(715) 265-7496	Carlton De Witt, Editor	Mondays at 10am	
Washburn County Register	21 Fifth Ave W Shell Lake WI 54871	(715) 488-2314	(715) 488-2314	Marc & Connie Parenteau	Tuesday at Noon	
Wisconsin State Farmer	717 Tenth St Waupaca WI 54981	(715) 258-5546	(715) 258-8162	Carla Gunstn, Editor	Friday by four o'clock	
✓ Woodville Leader	130 S Main Woodville WI 54028	(715) 698-2401	(715) 698-2952	S. K. Heim, Editor	Advertising rate 3.50 column inch; Friday at 3pm	

SENATE HEARING SLIP

(Please Print Plainly)

DATE: _____

BILL NO. _____

OR

SUBJECT _____

(NAME) Debbie Ford

(Street Address or Route Number) _____

(City and Zip Code) MC

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: Nov 6 1999

BILL NO. CB 248

OR CB 248

SUBJECT _____

(NAME) Debbie Ford

(Street Address or Route Number) 205 N. Michigan Ave

(City and Zip Code) Chicago IL 60601

(Representing) MC

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/5/99

BILL NO. 267 & 248

OR

SUBJECT TELEPHONE

\$ PER MINUTE TELEPHONE CALL

(NAME) Dick Zenger

(Street Address or Route Number) 1405 12TH AVE

(City and Zip Code) TELEPHONE 54757

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/06/99

BILL NO. 262
OF

SUBJECT No Cols Bill

(NAME) Janice Shung

(Street Address or Route Number) 3420 530 Ave

(City and Zip Code) Menomonee 54451

(Representing) Quinn Co. Office on Aging

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

I have to leave by 7:15
SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/16/99

BILL NO. Senate Bill 262
OF

SUBJECT felener King

(NAME) Janet Marshall Schaefer

(Street Address or Route Number) 15590 5570th St

(City and Zip Code) Menomonee 54451

(Representing) AAAP

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/06/99

BILL NO. SB 267
OF

SUBJECT _____

(NAME) Alice Clausen

(Street Address or Route Number) _____

(City and Zip Code) _____

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-1999

BILL NO. SB 267

OR

SUBJECT Telemarketing

Jim Rabliff

(NAME)

2811 Agriculture Dr

(Street Address or Route Number)

Madison 53708

(City and Zip Code)

DATE

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/99

BILL NO. SB 267

OR

SUBJECT Telemarketing

Bill Demichio

(NAME)

Dept. of My Time + Consumer Protection

(Street Address or Route Number)

(City and Zip Code)

DATE

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/99

BILL NO. SB 267

OR

SUBJECT _____

Rep. Joe Ploeff

(NAME)

1421 W. 55th St

(Street Address or Route Number)

(City and Zip Code)

2975 A.D.

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/16/99

BILL NO. SB 267

OR

SUBJECT Telemarketing

(NAME) James Price

(Street Address or Route Number) 1450 Wilcox

(City and Zip Code) Menomonie WI 54751

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: Dec 6, 1999

BILL NO. 267

OR

SUBJECT Telemarketing

(NAME) Lana Anderson

(Street Address or Route Number) E 8695 C Rd V

(City and Zip Code) New Auburn, WI 54757

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: Feb 9, 1999

BILL NO. SB 1267

OR

SUBJECT Telemarketing

(NAME) Colleen E. Hufferdell

(Street Address or Route Number) 13238 457 St

(City and Zip Code) Menomonie WI 54751

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-99

BILL NO. S.B. 267

SUBJECT _____

(NAME) _____

Forward Claims
(Street Address or Route Number)

1318 Wilson Ave
(City and Zip Code)

Mchenzie WI
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/99

BILL NO. 267

SUBJECT _____

(NAME) _____

1706 SE 12th St.
(Street Address or Route Number)

Mchenzie WI 54751
(City and Zip Code)

(Representing) _____

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-99

BILL NO. 267

SUBJECT telmarketing

(NAME) _____

1706 SE 12th St.
(Street Address or Route Number)

Mchenzie 54751
(City and Zip Code)

self
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-06-99

BILL NO. SB 267

OF
SUBJECT TELEMARKETING

EMMA R. TALEN

(NAME)

820 BITTERSWEET

(Street Address or Route Number)

MENOMONIE, WI 54751

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/99

BILL NO. 267

OF
SUBJECT _____

Fred Perry

(NAME)

1303 15th Ave

(Street Address or Route Number)

Menomonee WI 54751

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12/6/99

BILL NO. 267

OF
SUBJECT _____

Glenn Perry

(NAME)

1303 15th Ave #4

(Street Address or Route Number)

MENOMONEE WI 54751

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-99

BILL NO. 267

OR
SUBJECT _____

ERIC FRIEST
(NAME)

205 15TH STN
(Street Address or Route Number)

MENOMONIE
(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-99

BILL NO. 267

OR
SUBJECT Ab Calc

(NAME)

(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 12-6-99

BILL NO. SB 267

OR
SUBJECT _____

(NAME)

(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882



State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: December 6, 1999

TO: Senator John Erpenbach, Chair and Members
Senate Privacy Committee

FROM: Bill Oemichen, Administrator
Division of Trade & Consumer Protection *Bill Oemichen*

RE: SB 267: Telemarketing

The Department of Agriculture, Trade & Consumer Protection appreciates this opportunity to testify on SB 267.

Telemarketing is a significant, and increasing, consumer concern in Wisconsin. In 1999 to date, the Department has received 413 written consumer complaints regarding telemarketing practices and an additional 1,357 consumer contacts (by telephone or in person) on telemarketing issues.

Telemarketing fraud is the eighth top-ranked consumer complaint in Wisconsin in 1999 and it also ranked eighth in 1998. By comparison, telemarketing complaints were not in the top ten lists of consumer complaints in either 1996 or 1997. Additionally, halting telemarketing calls is the most frequent consumer issue raised when speakers from the Department make public presentations.

In response to this disturbing trend, the Board of Agriculture, Trade and Consumer Protection enacted a new Direct Marketing Rule, ATCP 127, that provides new protections for consumers from telemarketing practices. This rule became effective on August 1, 1998.

The new Direct Marketing Rule adopts the provisions of the Federal Telemarketing Law, a law that is well known to the direct marketing industry. Furthermore, ATCP 127 adopts additional protections for consumers and these protections are based on the complaint, investigations and prosecutions that occurred prior to August 1, 1999.

The rule requires telemarketers to identify themselves, their company, and that the purpose of the call is to solicit a sale. The rule also requires a telemarketer to place the consumer on their company's do not call list if requested by the consumer. The rule would be complimented by SB 267, which would allow consumers to be placed on a general do not call list that would be provided to all telemarketers who have registered with the Department.

Letter to the Honorable John Erpenbach
December 6, 1999
Page Two

The Department widely publicized this new rule on television, on the radio and in the state's newspapers. Furthermore, informational notices were sent to a number of industry trade groups and direct marketers. Unfortunately, the Department is already investigating a number of violations of our new rule.

The Department of Agriculture, Trade & Consumer Protection supports the goals of SB 267: to provide consumers with a meaningful way to get off of telemarketing lists and to provide the appropriate penalties for non-compliance. However, the Department wants to also ensure full funding is provided because we are unable to absorb consumer protection duties of this magnitude.

Furthermore, the Department recommends the penalty language be written to ensure the penalties are meaningful. For example, we recommend the words "per violation" appear at the conclusion of the sentences on lines two and five on page five. For example, we recommend a maximum \$10,000 penalty for *each violation* of the do not call provision. Otherwise, a maximum penalty of \$10,000 for *all violations* may be seen as the cost of doing business and may not act as an effective deterrent.

Thank you again for the opportunity to appear before the committee. We would be happy to answer any questions you may have.

**Committee on Privacy, Electronic Commerce
And Financial Institutions**
December 6, 1999
Menomonie, Wisconsin

Senate Bill 267

Senator Erpenbach and Committee members, my name is Dick Bohling and I represent GTE, a Wisconsin telecommunications provider.

GTE would like to be able to support SB 267 which relates to prohibiting certain telephone solicitations and requiring the registration of telephone solicitors. It is my understanding that the state of Florida currently has a very similar law in place and that it is working well.

Our suggested amendment, which is attached to my testimony, would provide for a business to make a solicitation call to consumers with whom they already have a previously established relationship. This language is consistent with current law regarding facsimile transmissions.

This minor change would permit our company to contact our existing customers regarding new services and/or special rates that become available.

With this change we will support passage of SB 267. Thank you for the opportunity to comment and I would be happy to answer any questions.

Richard A. Bohling
GTE
100 Communications Drive
Sun Prairie, Wisconsin 53590
608-837-1480

Amendment to SB 267

The amendment below is requested to allow a business to contact a customer with whom they already have an established business relationship. This amendment is consistent with 134.72(2)(b)b regarding facsimile solicitation.

AMEND

"134.72(2)(a)(3). A person may not make a telephone solicitation to a residential customer if the nonsolicitation directory is available to the public at the time of the telephone solicitation includes a listing for the residential customer and where such person does not have a previously established relationship with the residential customer.

CREATE

134.72(2)(a)(4). 'Previously established relationship' means a prior or existing relationship, not previously terminated by either party, formed by a voluntary two-way communication between a person or an entity and a residential subscriber with or without an exchange of consideration, on the basis of an inquiry, application, purchase, or transaction by the residential subscriber regarding specific products or specific services offered by such person or entity; this term also includes established relationships with not-for-profit entities through such means as donations to the entity or participation in the activities of the entity."



**MCI Telecommunications
Corporation**

Public Policy
205 North Michigan Avenue
Suite 3700
Chicago, IL 60601
312 470 2121
FAX 312 470 4929

December 6, 1999

Senate Bill 267

1999 Senate Bill 267 prohibits certain telephone solicitations, and requires registration of telephone solicitors. Several telephone companies use national telemarketing efforts in order to compete for customers. This robust competition results in lower priced services to consumers. As a general matter, this legislation will increase carriers' costs of doing business, will hamper carriers' future ability to compete for customers, and will ultimately lead to lessened competition and, in turn, higher prices.

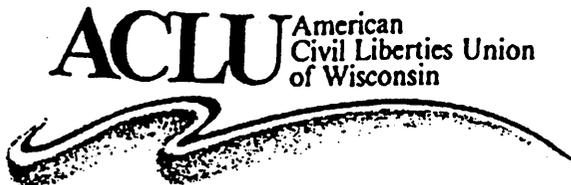
With specific reference to competition in the local telephone market, the legislation has a discriminatory and anti-competitive affect. As the bill now reads, only customers of "telecommunications utilities" can be in the non-solicitation directory. All monopoly companies like Ameritech are "telecommunications utilities;" however, some competitive local telephone companies are "telecommunications carriers," and are specifically excluded from the definition of "telecommunications utility." Thus, the customers of a telecommunications carrier cannot be in the directory. This legislation would essentially prohibit some competitive carriers from soliciting Ameritech's customers to change their service, but would allow Ameritech to solicit some competitive carrier's customers to change their service back to Ameritech.

Moreover, state-specific do-not-call lists simply duplicate a service which is already available to consumers. A consumer may request that their name be removed from a call list at the time of an initial solicitation, or the consumer may register with the Direct Marketing Association, Telephone Preference Service ("TPS"). Consumers may register with the TPS do-not-call list by sending their name(s), home address, and home telephone number (including area code) and signature in a letter or on a postcard to: Telephone Preference Service, Direct Marketing Association, P. O. Box 9014, Farmingdale, NY 11735-9014. These instructions are repeated at the organization's web site, which is located at <http://www.the-dma.org/topframe/index7.html>. State efforts to notify consumers of the availability of this alternative may prove more fruitful than mandating that another bureaucratic process be placed over this existing, free process.

One problem that exists with all generic do-not-call lists is that they do not allow consumers to distinguish between the types of calls they want to receive and the types of calls they do not want to receive. For example, a consumer may be interested in offers of lower telephone rates but not credit card offers. Under this legislation, consumers would not be able to choose between the two.

Also, state lists are not as effective as the specific lists companies are required to keep under the Federal Communications Commission's Telephone Consumer Protection Act and the Federal Trade Commission's Telemarketing Rule. For example, MCI WorldCom's experience is that our company-specific do not call/suppression database is larger than the lists generated by all of the individual states.

Finally, many times, the "culprits" either are exempt from using the state lists (e.g., charities) or ignore the requirement to acquire the lists and abide by them. This failure to either acquire the list or abide by the list requires the state to spend money and resources to force the company to comply with the law.



ACLU DATA PRIVACY PROJECT
Carole M. Doeppers, Project Director
December 6, 1999

Senator Jon Erpenbach, Chair
Committee on Privacy, Electronic Commerce and Financial Institutions
P.O. Box 7882
Madison, WI 53707

RE: Senate Bill 267: creating a nonsolicitation directory

Dear Senator Erpenbach and Committee Members:

Preparing this testimony presents a dilemma for me. I strongly support the concept of this bill: that government impose some level of regulation on an industry that has failed to adequately regulate itself. I concur with the need for consumers to have some recourse against unwanted telephone advertisements and solicitations. I have no objection with government oversight when the use of other people's information by third parties becomes a nuisance at best and intrusive at worst.

What bothers me, however, are the possible unintended consequences of this proposed legislation. Will the 'no call' list create another government database that is available as a public record without question and beyond the control of the very consumers who provided the information in the first place? Moreover, will the 'no call' list be subsequently merged, matched, mixed, commingled and cross-tabulated with other databases for unrelated purposes? That is the implication (as I read it) of Section 19! Does this section mean that consumers who want to be rid of telemarketers instead find their names involved in computer surveillance to identify 'dead beat' parents or possibly some day welfare recipients, illegal immigrants, bothersome tenants or students with delinquent loans?

Hopefully, the bill's authors do not intend that the 'no call' list be used for such unrelated purposes. I continue to support SB 267, because it promotes ethical business practices and returns a modicum of control to consumers over how their electronic profiles are used, reused and potentially misused. That does not mean a consumer 'no call' list maintained by a state agency should be publicly available to outsiders and part of yet another record-keeping system for government monitoring and other secondary uses. If that occurs, this legislation would create a true '*Catch 22*.'

Sincerely,

A handwritten signature in cursive script that reads "Carole M. Doeppers".

Carole M. Doeppers, Director
Wisconsin Data Privacy Project



December 2, 1999

The Honorable Jon Erpenbach
Chair
Senate Committee on Privacy, Electronic Commerce and Financial Institutions
20 South State Capitol
Madison, WI 53701

RE: SB 267 and SB 248

Dear Senator Erpenbach:

I writing to express Sprint's opposition to SB 267 and SB 248 which are scheduled to be heard in your committee on December 6.

SB 267

When states attempt to create and maintain a Do Not Call list for their consumers, they seldom realize the amount of bureaucracy and expense they create for themselves. The challenges include: outputting updated files consistently to telemarketing firms; keeping the list up-to-date as consumers move within the state or change their telephone numbers; making area code changes when splits occur; removing telephone numbers that are recycled by the local telephone company; and removing consumers' records who move out of state or are deceased.

These are but a few of the technical considerations required to keep a State Do Not Call list functioning properly. Without all of this effort and expense on the part of the State, any list that is created will soon grow out of control with out-dated and incorrect information, making its use for telemarketers impossible to enforce. Telemarketers cannot be held accountable to remove telephone numbers that are no longer owned by the original consumers who requested to be put on the list. The new owner of the telephone number has a right to receive telcmarketing solicitations.

Sprint recommends a solution that meets the needs of the consumers with no cost or bureaucracy for the state. The Direct Marketing Association (DMA)'s Telephone Preference Service (TPS) is the answer. The DMA provides a FREE service to all consumers in the United States by maintaining a national "Do Not Call" list known as the TPS. Consumers can request to be added to this list free of charge. Sprint, like many telemarketing firms, already has efficient processes in place for using the DMA's file to eliminate unwanted calls to consumers. Attached is a print-out of a section of the DMA's web site (<http://www.the-dma.org>) that explains how consumers can request to be registered with the TPS. As a constituent service, I encourage you to inform people in your district about this free program.

Sprint recommends that SB 267 be amended to model the law in Connecticut. The Connecticut law is example of how states can effectively leverage the DMA's Do Not Call List to protect their consumers from unwanted calls. The law prohibits telephone solicitors from making unsolicited telephone sales calls to anyone who has registered with the TPS maintained by the DMA, and makes a violation of such an unfair trade practice. The law requires anyone who sells or offers to sell publications or compilations to telephone solicitors for marketing or sales solicitations purposes to exclude the names, addresses, and telephone numbers of everyone on the current TPS. The requirement applies whether or not the list was obtained from published telephone directories or from other sources. The list maker must also delete such consumer information from the database used to compile the list. Similarly, these requirements apply if someone whose name is not on the list makes a written request for deletion.

Sample verbiage from the Connecticut law:

(b) Prior to doing business in this state, a telephone solicitor shall access the Telephone Preference Service maintained by the Direct Marketing Association and delete from its list of consumers all Connecticut residents who have registered with said service.

(c) No telephone solicitor may make or cause to be made any unsolicited telephonic sales call to any consumer if the consumer's name and telephone number or numbers appear in the then current list of consumers registered with the Telephone Preference Service maintained by the Direct Marketing Association.

(d) (1) Any person who obtains the name, residential address or telephone number of any consumer from published telephone directories or from any other source and republishes or compiles such information, electronically or otherwise, and sells or offers to sell such publication or compilation to telephone solicitors for marketing or sales solicitation purposes, shall exclude from any such publication or compilation, and from the database used to prepare such publication or compilation, the name, address and telephone number or numbers of any consumer if the consumer's name and telephone number or numbers appear in the then current list of consumers registered with the Telephone Preference Service maintained by the Direct Marketing Association.

SB 248

Sprint is opposed to SB 248 because it attempts to legislate the manner in which companies advertise their rates to consumers. Many telecommunications companies are moving toward bundled offerings of services because that is what consumers are demanding. Consumers want to be able to receive multiple services, from one provider, and with only one bill.

It is impossible to state the effective per-minute rate for individual customers through a newspaper or television advertisement that is directed to thousands of people. Each consumer operates his own distinct calling pattern. When a person chooses to sign up with Sprint, that

phone call is verified by a third party. Within 7-10 days, the customer receives a fulfillment package that discloses the monthly reoccurring charge (if applicable), the rate in effect during specific times and days; and other fees that may be incurred. It is impossible to disclose all this information in a 20-second commercial or a 1/2 page in a newspaper. Once a consumer sees an advertisement that peaks interest, a call can be made to a 1-800 number to reach a Sprint customer service representative. Sprint's customer service representatives are trained to analyze potential customers' calling patterns and recommend the most cost-effective plan for the consumer.

If SB 248 were to be enacted, Sprint could not advertise in Wisconsin its new bundled local/long distance service it is advertising in New York. It is a flat rate plan. The fee is the same if you use 100 minutes a month or 300 minutes a month. Depending on how many minutes a customer uses in a certain month, the cost per minute changes.

With the current competition for long distance service and the anticipated competition from new providers of bundled services, Sprint believes that customers will have adequate options if they feel they have been misled by a particular provider. For these reasons, we hope the committee will not take any further action on SB 248.

If you have any questions, please contact me at 913-624-6825 or Chet Gerlach at 608-255-9337. Thank you.

Sincerely,



Laurie Itkin
Staff Director, State Government Affairs
Sprint

Telephone Preference Service: How to get your name off telemarketing lists.



What is the purpose of TPS?

How do I register with TPS?

What happens after I register with TPS?

Does registration with TPS mean an end to all advertising calls?

What happens when I move or get a new telephone number?

Can I request deletion from specific lists through TPS?

Who sponsors the Telephone Preference Service?

What is the purpose of TPS?

Many people enjoy receiving information about products or services in their homes over the telephone. Many consumers find telephone shopping to be a convenient way to shop. However, some consumers would like to receive fewer telephone marketing calls at home. The Telephone Preference Service (TPS), a do-not-call service, is a free service to assist those consumers in decreasing the number of national commercial calls received at home.

[Return to top...](#)

How do I register with TPS?

You may register with this do-not-call file by sending your name(s), home address, and home telephone number (including area code) and signature in a letter or on a postcard to:



**Telephone Preference Service
Direct Marketing Association
P. O. Box 9014
Farmingdale, NY 11735-9014**

Or, you may [print this page](#) from your browser and mail it in.

The DMA takes only postal mail requests for inclusion on the MPS and TPS files. This is because, as much as possible, we need to verify that the person who submits the request is the person whose name is being removed from

marketing lists. Receipt of a signed request via the Postal Service provides The DMA, MPS user companies, and consumers with a practical method for verification. E-mail does not provide safeguards to protect your privacy or a means to verify your identity.

You must register with TPS directly; second party requests cannot be processed.

What happens after I register with TPS?

When you register with TPS, your name, address and telephone number are placed on a do-not-call file. This "delete file" is updated four times a year -- January, April, July, and October -- and made available to telephone marketing companies who choose to use it. Your name remains on file for five years.



Typically you will see the number of calls you receive begin to decrease approximately two months after your name is entered onto the quarterly file.

[Return to top...](#)

Does registration with TPS mean an end to all advertising calls?

No. Although registration with TPS will help reduce the number of telemarketing calls you receive, it will not stop all telemarketing calls. You may continue to receive calls from local merchants, religious and charitable organizations, professional and alumni associations, and political candidates and office holders.

Calls of a business-to-business nature received at your place of employment are also not affected through registration with TPS. Business names, addresses and telephone numbers are not accepted on TPS, and companies that market to other companies do not use this consumer-oriented do-not-call file.

Note: Registration with TPS will not affect sequentially dialed automated recorded message (computerized) calls. If you receive a computerized call from a company you do not wish to hear from again, listen to the automated message to obtain the telemarketer's name and address or phone number. Then, contact the company directly and ask to be placed on the company's do-not-call list.

[Return to top...](#)

What happens when I move or get a new telephone number?

You may write again to register your new address and telephone number with the service. Or, if you turn in a change-of-address card at the Post Office, your old address will be removed from the TPS file and the new address and telephone number will replace it.

[Return to top...](#)

Can I request deletion from specific lists through TPS?

No. Name removal through TPS is general in nature. You may reduce the number of telephone marketing calls you receive from a specific company by asking the company to place your name and telephone number on the company's do-not-call list the next time the company calls you.

***Who sponsors the Telephone Preference Service?***

The Telephone Preference Service (TPS) is a free consumer service sponsored by the Direct Marketing Association (DMA).

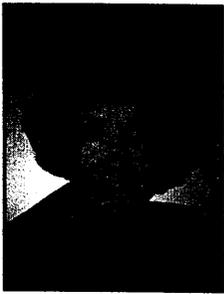
Established in 1917, DMA is the oldest and largest national trade association serving the direct marketing field. Members of DMA market goods and services directly to consumers using such media as telephone, direct mail and catalogs, magazine and newspaper ads, and TV and radio advertising.

DMA is not the source of calling lists, and does not sell calling lists to other companies.

[Return to top...](#)

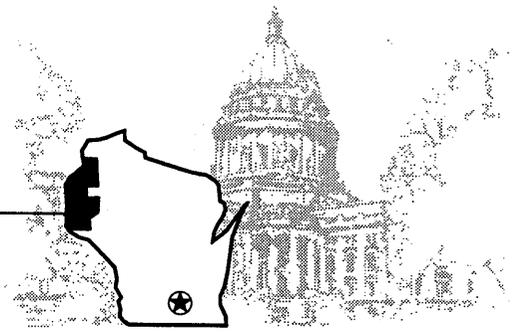
Copyright © 1999 Direct Marketing Association, Inc.

consumer@the-dma.org



Alice Clausing

WISCONSIN STATE SENATOR



TESTIMONY OF SENATOR ALICE CLAUSING ON SB 267

DECEMBER 6, 1999

I would like to thank you, Mr. Chairman and members of your committee, for traveling to western Wisconsin to hear our concerns about very important consumer protection issues.

I am delighted to have the opportunity to outline the major aspects of SB 267, the creation of a "No Call" list and requiring its use by commercial telemarketers.

There isn't an American today that hasn't been interrupted while eating dinner, bathing the baby, cleaning house, watching TV or helping with homework by telemarketing telephone calls. To add insult to injury, if you have call waiting, you can find yourself with telemarketers interrupting your personal calls. Poetic justice would have telemarketers interrupting telemarketers.

Most people welcome some unsolicited calls from charities we support, our churches and community groups. In fact, some people welcome all telephone calls and their rights are preserved in SB 267. However, many of us do not want commercial firms using our telephone service to sell us something we do not want or need. Citizens should have the freedom to choose whether commercial telemarketers may invade the privacy of our homes with unsolicited marketing calls. SB 267 will be an important tool to preserve personal privacy.

Initially, I wondered why an additional layer of protection was needed. The Direct Mail Industry has created the direct mail preference list. Consumers who "prefer" not to receive direct mail can register their "preference" which is largely respected by the industry. Although telemarketing is far more intrusive than direct mail, the industry does not provide a similar tool for consumers.

When an industry fails to police themselves and steps over the line of consumer privacy rights, it is appropriate for citizens to look to government for help. Citizens are clamoring for the freedom to choose privacy in their homes from unwanted commercial marketing. When the telemarketing industry does not operate proper self-restraints to protect consumer's rights, then government regulation becomes necessary.

When considering the solution to unwanted telemarketing calls, I set out three basic parameters for a program:

- It had to be friendly and easy for consumers to use.
- It had to be effective.
- It had to be free to the consumer with costs born by the industry, not the taxpayers.

SB 267, as amended by LRBA1089/1, meets the criteria.

The "No Call" list is friendly to consumers: Individuals will be able to dial a toll-free telephone number to register their household on the "No Call" list. The Department of Agriculture, Trade and



Consumer Protection also anticipates website registration. No forms, no coupons -- just one call every two years.

Second, it has to be effective. An ineffective tool is often worse than no tool at all. Telemarketing is inherently unseen marketing -- it leaves no trace with no hard evidence. Effective enforcement of SB267 requires providing the Department of Agriculture, Trade and Consumer Protection with the appropriate tools to have the muscle to do the job.

Consumers will have the ability to request the telemarketing firms license number when they receive a call. If the caller is unable to either provide a license number or the household is on the "No Call" list, a complaint can be filed with the Department of Agriculture, Trade and Consumer Protection in the same way any other consumer complaint is filed.

In addition, it tags violators with enhanced penalties for preying on the elderly and disabled.

Third, the program must be cost free to consumers and taxpayers. People should not be charged for privacy in their homes nor should taxpayers have to foot the bill. SB 267 and the proposed amendment shift the cost from the taxpayers to the industry. This is an industry problem and the industry should bear the cost to resolve it.

When my "No Call" bill is enacted, telemarketing firms will be required to obtain a license from the Department of Agriculture, Trade and Consumer Protection before doing business in Wisconsin. In order to be licensed, a firm must purchase and use the "No Call" list from the Department. The license fee per telemarketing firm is anticipated to be between \$500 - \$1,000 annually. The enforcement list will be updated biennially.

Firms that are found to be in violation by failing to purchase a license or failing to respect the "No Call" list would be subject to fines up to \$10,000. My proposal provides for two full-time investigators to assure compliance.

When the Department begins to compile the "No Call" list, there will be a period of time for consumers to register their household before "No Call" enforcement begins. During that initial period, telemarketing licenses will be required, although list enforcement isn't possible. Early licensure is needed to generate the needed revenue consumers need to be aware; SB267 does not eliminate all in-coming unsolicited calls. Non-profit groups, civic and religious groups are not restricted under this bill.

But make no mistake: this proposal includes mass market, commercial political fundraising by paid telemarketing firms. Individual volunteers could still solicit campaign donations from friends and supporters on personal telephone lines or from a central location. Commercially run telemarketing operations on behalf of a political party or candidate would be required to respect the "No Call" list.

Commercial telemarketing firms will be able to continue their practice of using telecommunications but **only** into homes that are not on the "No-Call" list.

Households that want complete privacy in their homes from unwanted callers still have the option of an unlisted number. SB 267 eliminates commercial sales calls from firms who want to sell you a product or service that you have not requested.

Our homes should be a place of peace, a refuge to nurture our families, a place to enjoy privacy from unsolicited intrusions. We can shut off the television, the radio and get off the worldwide web, but a ringing telephone shatters our personal privacy far too frequently.

Thank you for your attention and I look forward to your support and swift committee action on SB 267. I would be happy to answer any of your questions.



Janet Schaefer
N 5590 550th Street
Menomonie WI 54751-5615

representing
↓

WISCONSIN STATE LEGISLATIVE COMMITTEE

CHAIR
Garfield Stock
485 Maynard Drive
Sun Prairie, WI 53590
(608) 837-6187

VICE CHAIR
Ellen Rabenhorst
33 S. Midvale Road
Madison, WI 53705
(608) 238-0862

SECRETARY
Irene Captain
2731 1st Street S.
Wisconsin Rapids, WI 54484
(715) 423-6082

CAPITAL CITY TASK FORCE
COORDINATOR
David B. Sautterback
2609 Arboretum Drive
Madison, WI 53713
(608) 255-2469

STATEMENT

on behalf of the

Wisconsin AARP State Legislative Committee Member

December 6, 1999

Senate Hearing of SB 267

AARP's Wisconsin State Legislative Committee (SLC) officially represents the Association's policies before state-level legislative and regulatory bodies. AARP has nearly 700,000 members in Wisconsin. I am here today to speak to Senate Bill 267, a bill proposed by Senator Clausing to combat unwanted and perhaps most importantly, potentially fraudulent telemarketing calls.

When it's dinnertime and the telephone rings, consumers often don't know who's really on the line. While the telephone has now made at-home shopping for goods and services a welcome convenience for many consumers, especially older consumers who may be homebound, this technology also enables criminals to enter our homes.

AARP research has found that consumers lost more than \$40 billion a year to telemarketing fraud, and senior citizens are victimized in disproportionate numbers. And more than half of the victims of telemarketing fraud are over age 50 although they are just 36 percent of the population.

Many people who fall for telemarketing schemes seem to believe the story the telemarketer is pitching. They find it hard to tell a legitimate sales pitch from a fraudulent one, and often feel that it is rude to just hang up.

While some telephone companies are now offering a "no call list" as a service to customers, this is usually with a cost of \$6.95 or more a month and may be out of the price range of those citizens who most need the service. In addition, some telemarketing associations now offer to place consumers on a "no call list" kept by their respective association, but such lists are limited and provide the consumer with no course of redress if he or she is victimized.

AARP, in conjunction with the postal service and law enforcement officials, has worked X
hard to educate senior citizens and others about telemarketing fraud. But in addition to
education, AARP believes that legislation is needed to establish stronger consumer
protections.

AARP believes that the a state-administered "no call list" -- or a "nonsolicitation
directory" as outlined in Senate Bill 267 -- would allow consumers to choose not to be on
a prospect list and avoid becoming victims of fraudulent sales pitches. Simply by being
placed on the list, consumers are more sensitive to the types of calls they are receiving
and the State of Wisconsin is provided with a tool to help identify potentially fraudulent
telemarketing firms.

As such, AARP supports the concept of the "no solicitation directory" and the provisions
in place in Senate Bill 267 should a telemarketer violate the law. However, AARP also
has concerns about the bill as presently written that our Association hopes can be
addressed before the legislation is adopted:

- The definition of a "telephone solicitor" should be more inclusive -- that is, defined as not
only the employer, but also the firm or organization, and the person who makes the
telephone solicitation for the purposes of soliciting a sale of goods or services;
- Telephone solicitors should be required to obtain an updated list on a specific schedule;
- Information contained in the "nonsolicitation directory" should be used only for the
purposes of compliance and should be treated as private data -- AARP cannot support
the provision to release the information to the public as presently written into this bill;
- The "telephone solicitor" should not be able to use any method to block or otherwise
circumvent the consumer's use of a caller identification service;
- In addition to the \$10,000 penalty on telephone solicitors who violate the provisions of
the "nonsolicitation directory," a person injured by violation of the "nonsolicitation
directory" should be given the right to bring civil action and recover any actual
damages, including attorney's fees incurred; and finally
- Promotion and notification of the opportunity for consumers' to sign up for the
"nonsolicitation directory" should be done through regular, written notification in
telephone bills and through an educational outreach program throughout the state.

Thank you for the opportunity to comment today. AARP hopes this committee will
seriously consider our comments and suggestions. Our Association believes that the
experience of other states such as Georgia and Florida have shown that a self-funded and
state-administered "no call list" is an effective tool in combating unwanted telephone
solicitations, and more importantly, a way to stop criminals from defrauding citizens over
the telephone.

WISPIRG

1121 University Ave., Madison, WI 53715 608-251-1918

DEC. 0 3 1999

December 1, 1999

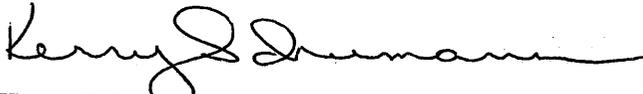
Dear Senators Erpenbach and Clausing,

I am writing in regards to Senate Bill 267, legislation designed to protect consumers from unwanted commercial telemarketing. I am very concerned about the sometimes unscrupulous telemarketing practices of some companies, and am supportive of giving consumers the option of being taken off telemarketing lists. I appreciate your work on this to protect consumers.

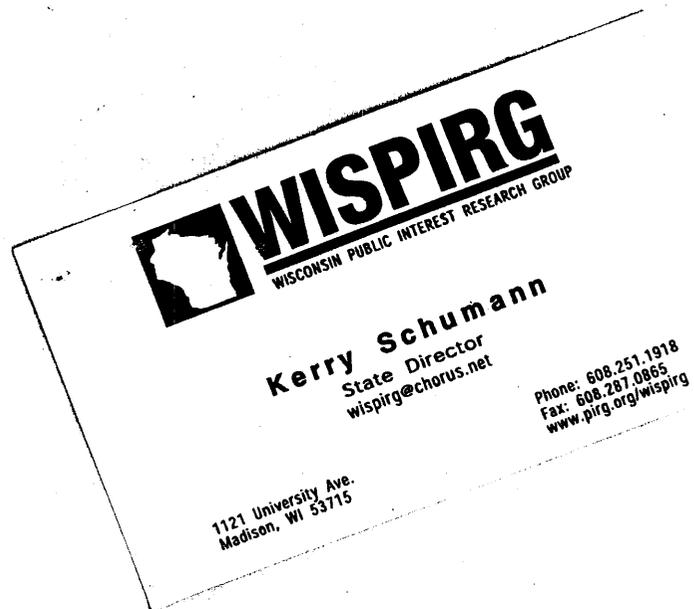
At the same time, I also understand that the telephone is a powerful tool for encouraging civic participation and giving non-profit organizations an opportunity to communicate with their members. Obviously the use of telemarketing by non-profits to contact their membership is very different from the use of telemarketing by companies to sell products or services. As a public interest organization, WISPIRG is very interested in encouraging vigorous civic participation through many different methods, including the telephone.

I support your work to protect consumers from commercial phone solicitors, and appreciate your understanding of my earlier concerns. Please feel free to contact me with any questions, and I look forward to seeing the amendment to SB 267 that is currently being drafted.

Sincerely,



Kerry Schumann
WISPIRG Director



FISCAL ESTIMATE

DOA-2048 N(R 10/98)

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

List both LRB No. and Bill/Adm. Rule No. SB 267/AB 578
Amendment No. (if Applicable)

Subject
Telemarketing

Fiscal Effect
 State: No State Fiscal Effect
 Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No
 Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
 2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Unit Affected:

Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Source Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations
20.115(1)(j)(r) (1)(a)

Assumptions Used in Arriving at Fiscal Estimate

This bill directs DATCP to develop systems to register residential customers who do not wish to be called by telemarketers and, register telemarketers who wish to solicit Wisconsin residents. It also requires DATCP to investigate and seek penalties against violators most of whom are located outside of Wisconsin.

Currently, telemarketing is number eight on the list of most frequent consumer complaints received by DATCP. Department rules, Chapter ATCP 127, Wis. Admin. Code, enacted in August 1999 prohibits a telemarketer from soliciting a consumer who has asked the telemarketer to place them on a "do not call" list. The rules also require a telemarketer to maintain systems for ensuring consumers on this list are not called. There has not been enough time since enactment of these rules to determine if they are effective in providing consumers relief from unwanted calls.

Stopping unwanted telemarketing solicitations is one of the most frequently raised issues when Consumer Protection staff talks to consumers. Based on experience, and the Department projects that a majority of Wisconsin households will register under this new law. In order to ensure the validity of the list as the population moves and changes phone numbers, registration will have to be renewed frequently. Florida has a similar program and reports that 75,000 records had to be added or updated last quarter and nearly 8 FTE positions in their program were involved in simply producing and maintaining their list during the quarter.

The Department assumes consumer registration will be made available through a toll-free telephone system as well as on-line forms on the Department's Internet site. The Department will also require significant technological support to create and maintain registrations of this magnitude. Because these systems will have to be created and populated with consumer information before telemarketers could be registered and fees collected, the Department estimates a one time workload of 12,000 hours and one time associated technology costs will be necessary prior to registration fees are available to support enforcement and administration of this law. To accomplish this, the Department will require 12 limited term positions for initial creation of the list and 5.5 FTE positions for continued list production.

Complaints regarding telemarketing will double to approximately 1000 per year. The Department estimates 100 complaints per year will require assignment to investigative staff for detailed investigation. Typically, these investigations will involve multiple victims and multiple jurisdictions. The Department will require 3.0 FTE

investigators for enforcement activities.

The Department estimates this additional annual workload administer and enforce the law will also require 1.0 FTE consumer complaint supervisor.

Based on these assumptions, the department estimates there will be a one-time cost of \$390,200 in year 1 for rule writing and technological setup, and a one-time cost of \$163,800 to populate the list before registration of telemarketers can commence for a total one-time cost of \$554,000. Ongoing annual costs of \$385,300 would be offset through license fees.

Long - Range Fiscal Implications

Registration fees paid by telemarketing firms will offset the annual cost. Currently other states report their registrations generate approximately \$100,000 annual revenue. The Department assumes \$150,000 in registration fees and \$235,300 in general revenue will be necessary to support this bill.

Agency/prepared by: (Name & Phone No.)

Jim Rabbitt 608/224-4965
DATCP

Authorized Signature/Telephone No.

Barbara Knapp
Barbara Knapp (608) 224-4746

Date

11/30/99.

FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No/Adm. Rule No.	Amendment No.
SB 267 / AB 578	

DOA-2047 (R10/94)

Subject _____

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

\$Yr. 1 \$390,200 / Yr. 2 \$163,800 Total \$554,000 (Computer, Network, Programming, Workstations, LTE Positions)

II. Annualized Costs:		Annualized Fiscal Impact on State Funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$316,900.00	
(FTE Position Changes)		9.5	(- FTE)
State Operations - Other Costs		\$68,400	
Local Assistance			
Aids to Individuals and Organizations			
TOTAL State Costs by Category		\$385,300.00	
B. State Costs by Source of Funds			
GPR		\$235,300	
FED			
PRO/PRS		\$150,000	
SEG/SEG-S			
III. State Revenues			
Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		Increased Rev.	Decreased Rev.
GPR Taxes			
GPR Earned			
FED			
PRO/PRS		\$150,000	
SEG/SEG-S			
TOTAL State Revenues		\$150,000	

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$385,300	
NET CHANGE IN REVENUES	\$150,000	

Agency/Prepared by: (Name & Phone No.)

DATCP Jim Rabbitt 224-4965

Authorized Signature/Telephone No.

Barbara Knapp
224-4746

Date

11/30/99

State of Wisconsin
CORRESPONDENCE/MEMORANDUM
Department of Agriculture, Trade and Consumer Protection
Division of Trade and Consumer Protection



Date: November 23, 1999
To: File
From: Jim Rabbitt
Subject: Assumptions for fiscal estimate on SB 267 / AB 578

Department assumptions are based on discussions with Florida. Florida officials believe that, even though their population is larger, Wisconsin consumer registration numbers would be much higher if the service is free and available without mailing of paperwork and checks.

	Florida	Wisconsin Assumption
Population	15 million	5.2 million
Consumer Registration		
Registered Consumers	121,000	200,000
Cost to Register	\$10 first, \$5 renewal	0
Consumer Funds	\$700,000	0
Telemarketer Registration	Yes, under separate law	Yes
Registered Businesses	50	600
Cost to Register	\$50 per telemarketer	To be determined
Business Funds	?	To be determined
Charge for List	Yes	No
Quarter/Area Code	\$30	0
Quarter/Full State	\$100	0
Businesses Buying Lists	600	0
List Funds	\$100,000	0
Enforcement	\$80,000	\$80,000 to School Fund
Staffing		
Investigators	5	3
Data Entry	3	5
M.I.S.	Dept. Resource	0.5
Supervisor	.25	1
LTE Yr. 1	?	12
LTE Yr. 2	Outsource mail handling	0

One-Time Costs

IVR	75,000	
IVR Ports	12,000	
Fax Machines	1,500	
PCs – 12	24,000	
Software	6,000	
Telephones – 12	1,200	
Filing Cabinets – 12	12,000	
13 Work Stations	65,000	
Telephone	3,600	
Installation		
Network Upgrade	38,500	
Database Server	32,000	
Rack Components	3,100	
Tape Library System	15,700	
Application Development	50,000	
Electronic Forms	15,000	
Sub Total		\$354,600

**Year 1
Write Rules**

FTE

Position	No.	Salary	Fringe	S&S	Total
PA	1	20,300	8,088	7,200	\$35,588

Total Yr. 1 plus one-time **\$390,188**

**Year 2
List Consumers / Register Telemarketers**

FTE

Position	No.	Salary	Fringe	S&S	Total
PA	5	101,498	40,439	36,000	177,937
RCI	3	75,123	30,049	21,600	126,772
SUP	1	34,432	13,773	7,200	55,405
MIS	0.5	15,309	6,244	3,600	25,153
One-time LTE	12	111,774	8,833	43,200	163,807
Total Yr. 2		338,136	99,338	111,600	\$549,074

Year 3 / Ongoing
List Consumers / Register Telemarketers / Enforce Rules

FTE

<u>Position</u>	<u>No.</u>	<u>Salary</u>	<u>Fringe</u>	<u>S&S</u>	<u>Total</u>
PA	5	101,498	40,439	36,000	177,937
RCI	3	75,123	30,049	21,600	126,772
MIS	0.5	15,309	6,244	3,600	25,153
SUP	1	34,432	13,773	7,200	55,405
Total Yr. 3		226,362	90,505	68,400	\$385,267