

Wisconsin has a very good law limiting telemarketers. It was DEMANDED by taxpayers, written and passed overwhelmingly by lawmakers, and signed into law by the governor. Why? The telephone medium has been hijacked by computer assisted salesmen who call at all times of day and night. The calls can be nonstop. The callers are annoying. The computers are programmed to call multiple numbers at one time. The caller makes a connection and the other calls are cut off, resulting in 1 or 2 rings-then silence. This scenario is repeated. Even after a caller connects with me and I inform the caller I want my name and number removed from their company's call list, the same company will call back (Sears was notorious for doing this to me to the point I considered filing charges of harassment). Worst of all, the calls are unwanted. The law is hugely popular because many of these annoying, unwanted calls are prevented. The taxpayers have the USE and CONTROL of their phone for communication.

The federal law was drafted to cover those states with inadequate consumer protection from these malicious callers. To my knowledge, not all states have laws restricting telemarketers. Why should we in Wisconsin suffer because our telemarketing law is more consumer-friendly than others? That is what will happen if the federal law is made the standard for telemarketers. In other areas of law, the stricter of state or federal law is usually applied. THERE IS ABSOLUTELY NO REASON FOR THIS APPLICATION TO CHANGE IN THIS CASE.

The federal law must balance the rights of its citizens to some degree of privacy with the rights of companies to conduct business. While it is inconceivable that perfect privacy can be found, it must be understood that privacy can only be lessened by allowing more intrusive (insidious) tactics. The telephone (and e-mail on the Internet) is a PERSONAL form of communication. Telemarketers are abusing this medium by trying to make their IMPERSONAL messages personal. It doesn't work. They should stop trying.

There are many media in our society which anyone can use to spread a message- television, radio, print, billboard, word of mouth, mail. These media all provide passive forms of advertising. They are not as effective as a direct contact with the consumer. Herein lies the conflict. To a business, direct

contact (i.e. telephone & e-mail) is desirable and more effective than other media. To the consumer, direct contact IS NOT DESIRABLE UNLESS THE CONSUMER MAKES THE CONTACT.

The people have already spoken on this issue. States laws are enacted to protect their citizens. Let state laws rule on this issue.