

Do Not Call! Stopping those Pesky Direct Marketing Calls

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This week, Sen. Kathleen Vinehout writes about the Do Not Call List and changes to that list which started this month. The state consolidated its Do Not Call List with the federal Do Not Call Registry maintained by the Federal Trade Commission to make things easier for those registering their phone numbers and save state dollars.

MADISON - A gentleman called my office on behalf of his sister. She was receiving calls from salespeople even though she registered her phone with the Do Not Call List. His sister was feeling harassed by a particular company that kept calling her at all hours. "Where do we turn to get help?" he asked.

Wisconsin has maintained a Do Not Call List for many years. Registering your phone numbers on the list keeps away pesky direct marketing calls. But Wisconsin's Do Not Call List required individuals re-register their phone number every two years.

Beginning this month, the state Do Not Call list was consolidated with the Federal Do Not Call List maintained by the Federal Trade Commission (FTC). The list also became permanent. Once a phone number is on the list, there is no need to put the number back on the list every two years – as was the case under the state system.

The state Department of Agriculture and Consumer Protection (DATCP) will continue to oversee the enforcement of rules and investigation of complaints. Direct marketing companies in Wisconsin must still prove they comply with the federal law. The law also prohibits companies from using fictitious names or misrepresenting their identity, location or affiliation.

The state established the Do Not Call list in 2001. Folks were required to give their phone number and zip code to DATCP every two years. During that time, direct marketers could not make “cold calls” or calls without any prior business relationship, to the consumer. Calls to current clients, calls from non-profits and political calls were exempt from the law.

Some have attempted to include political calls on the list – something I support – but this legislation has not yet been successful.

The law also prohibits making pre-recorded telephone solicitations and forbids a call if a customer asks a business in writing to stop making calls.

In 2008, the Wisconsin law was changed to forbid calls to cell phones and changed again in 2012 to forbid unwanted text messages to phone numbers on the list.

I voted in favor of the new law consolidating Wisconsin’s Do Not Call List with the federal list. People complained to me about their Do Not Call List number receiving calls only to find out they needed to register the number again – an unnecessary hassle.

Wisconsin joins several states including Minnesota, Michigan and Illinois that moved to the national list while keeping oversight and enforcement at the state level. The reasons include the ease at registering numbers, the permanence of the list and the lower cost to states.

Merging with the federal Do Not Call list saves the state around \$185,000 per year. Those dollars will be used for enforcement and consumer education.

Telemarketing calls is the number one complaint fielded by state consumer protection investigators. Digging through details of complaints, I often find the reason for the unwanted calls can be traced to the 2-year limit on the Wisconsin list. Hopefully the new permanent system will resolve this problem.

However, Consumer Protection officials warn that if you do receive sales calls at a phone number you registered on the Do Not Call list, those calls are most likely fraudulent. Protect yourself and others by reporting those calls to DATCP.

The complete state list has now been merged with the federal list. But phone numbers that dropped off the state list at the end of the two-year limit were not sent to the FTC. To make sure your number is on the permanent list you can verify the number at www.donotcall.gov or call (from the number you want to verify) 1-888-382-1222 or TTY 1-866-290-4236.

Remember that if your phone number did drop off the state list and you re-registered it, the restrictions on direct marketers go into effect 31 days after your call.

If you are on the list and still being harassed by direct marketers after the 31-day period, you can file a complaint through DATCP by calling 1-800-422-7128 online at http://datcp.wi.gov/File_Complaint/index.aspx

. You can also call your favorite senator at 1-877-763-6636 and I will get you started.

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