



PAUL TITTL

STATE REPRESENTATIVE • 25TH ASSEMBLY DISTRICT

Senate Committee on Government Operations,
Technology and Consumer Protection
Senate Bill 292
September 24, 2019

First of all, I would like to thank you, Chairman Stroebel and committee members, for allowing me to testify before you concerning Senate Bill 292. I agree with what Senator LeMahieu has stated.

Wisconsin's Prize Mailer statute is designed to protect consumers by providing important information when they receive notifications they have won a prize. For example, the notification must indicate the name and address of the solicitor and the retail value of each prize an individual has been selected to receive. The statute also requires disclosure of restrictions and limitations that might apply, the size type that must be used, and whether it must be bold. The law includes a variety of other important safeguards.

Protecting consumers from unscrupulous solicitations is important, and as a member of the Assembly Committee on Consumer Protection I fully support that effort.

At the same time, there is concern that some of the provisions in our statute are needlessly burdensome for businesses. As Senator LeMahieu mentioned, you will hear testimony today about how this law affects a business in our area and why the provisions in this bill are important steps forward.

These arguments have merit, and the bill is designed to address those concerns. It keeps in place important protections for consumers while also lessening the burden on organizations that use mailers as part of their marketing efforts.

I appreciate your consideration of this bill.

Thank you for this opportunity to testify before you today.

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State of Wisconsin
Governor Scott Walker

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

October 4, 2013

[REDACTED]
[REDACTED]
[REDACTED]
RE: [REDACTED]

Dear Mr. [REDACTED]


As you are aware, the department began investigating [REDACTED]'s actions related to a mail solicitation that you sent to Wisconsin residents in July of this year.

As part of our investigation, the department has reviewed other mail solicitations that [REDACTED] sent to Wisconsin consumers over the past several years. Our investigation has revealed facts which support a finding that [REDACTED] mail solicitations violated a number of provisions of Wis. Stat. §100.171 Prize Notices and Wis. Admin. Code ch. ATCP 127 Direct Marketing.

The Department of Agriculture, Trade and Consumer Protection has scheduled a conference to be held on **October 31, 2013 10 AM**, to discuss enforcement actions that may result from these findings. We ask that [REDACTED] representatives attend this conference at **Department of Agriculture, Trade & Consumer Protection, in Room 178. We are located at 2811 Agriculture Dr., Madison, Wisconsin.**

Please contact Investigator [REDACTED] at 608-224-5160 by October 21, 2013, to confirm your attendance. Thank you.

Sincerely,


[REDACTED]
Director, Bureau of Consumer Protection
Division of Trade & Consumer Protection
608-224-5160 / fx 608-224-4939
michelle.reinen@wi.gov

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State of Wisconsin
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Department of Agriculture, Trade and Consumer Protection
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Business Information:



History of Complaints:

2013=01.

Prior DATCP Enforcement:

N/A

Response to Complaints

N/A

Reason for the Investigation:

In July 2013, a DATCP employee received a mail solicitation in the mail which offered a prize notice. The prize notice was in the form of a scratch off, where they could win 1 of 4 prizes.

Results of the Investigations:

I. Civil Investigative Demand

- a. On August 29, 2013, a civil investigative demand was sent to [REDACTED]
- b. On September 9, 2013, [REDACTED] contacted Investigator Schnetzler regarding the CID

II. Civil Investigative Demand Results

- a. [REDACTED] stated this was the first year they have ever done these types of mailers
- b. [REDACTED] stated they have done three mailers this year:
 - i. June
 - ii. July=55,103
 - iii. August=60,000
- c. [REDACTED] has not been able to obtain the number of mailers for the June flyer yet, but he is still trying to obtain that information.

III. Violations

- a. See attached chart

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Summary Sheet

Total Number of Mailers: 03

Date of Mailer	Number of Mailers	Minimum Penalty	Maximum Penalty
August 1, 2013	60,000	\$36,000,000.00	\$2,400,000,000.00
July 1, 2013	55,103	\$38,572,100.00	\$2,479,635,000.00
June 1, 2013			
Total Mailers	115,103	\$74,572,100.00	\$4,879,635,000.00

Statute's Violated
Wis. Stats. § 100.171 (3)(2)
Wis. Stats. § 100.171 (3)(3)
Wis. Stats. § 100.171 (3)(7) (b)
Wis. Stats. § 100.171 (3)(7) (2)
Wis. Stats. § 100.171 (3)(f) (3)
Wis. Admin. Code ATCP 127.36 (2)
Wis. Admin. Code ATCP 127.36 (3)

Director's Number

10/13