

## Senate

### Record of Committee Proceedings

#### **Committee on Judiciary, Corrections and Privacy**

##### **Senate Bill 58**

Relating to: product liability of manufacturers, distributors, and sellers.

By Senators Kanavas, Grothman, Stepp, Kapanke, Roessler and Reynolds; cosponsored by Representatives Huebsch, Nischke, Gundrum, Van Roy, Kestell, Hahn, Nerison, Gielow, Vos, Nass, Kreibich, Vrakas, Pettis, Ott, Petrowski, Gunderson, Hines, McCormick, F. Lasee and Musser.

February 15, 2005      Referred to Committee on Judiciary, Corrections and Privacy.

February 23, 2005      **PUBLIC HEARING HELD**

Present:    (4)      Senators Zien, Roessler, Grothman and Taylor.  
Absent:    (1)      Senator Coggs.

##### Appearances For

- Ted Kanavas, Madison — Senator, State Senator
- Ralph Weber, Milwaukee
- James Mathie, Waukesha
- James Buchen, Madison — WMC
- Jim Mathie
- Bill Smith, Madison — National Federation of Independent Businesses

##### Appearances Against

- Dan Rottier — Wisconsin Association of Trial Lawyers
- Jill Rakauski, Racine
- Vicki Tatera, Greenfield
- Mike Riley, Madison — State Bar Association
- Kent Kutsugeras, Juneau
- Joanne Rica, Milwaukee — Wisconsin State AFL-CIO
- Carolyn Castore, Milwaukee — Wisconsin Citizen Action

##### Appearances for Information Only

- None.

##### Registrations For

- Don Esposito, Sun Prairie
- Dale Droboard, Oshkosh — Best Wesern
- John Stona, Oshkosh
- Bob Nadulske, Oshkosh — Oshkosh Chamber of Commerce

- John Casper, Oshkosh — Oshkosh Chamber of Commerce
- Rob Kleman, Oshkosh — WEDA
- Matt Hauser, Madison — Petroleum Marketers
- Matt Hauser, Madison — Wisconsin Association of Convenience Stores
- Kevin Kelly, Holmen — Insurance Industry
- Mark Benlcowski, Mukwanago
- Bryce Styza
- Bill Berndt, River Falls
- Brenda Newby, Almond
- Paul Heubner, Beaver Dam
- Steve Zich, Appleton
- Ken Joosnew, Appleton
- Dave Framke, Wausau
- Mike Wiltzius, Sheboygan
- Douglas Daun
- Daniel Daun, Sheboygan
- Melissa Wolf, Kenosha
- Elizabeth Ramsey, Union Grove
- Tim Hanson
- John Mau, Kaukauna
- Jim Wersal, Stoughton
- Jeff Mau, Kaukauna
- Michael Dawson, Racine
- Darryl Spang, Franksville
- Harold Smart, Union Grove
- James Mikla, Baldwin
- Christine Mikla, Baldwin
- Terry Larson, East Troy
- John Darrey, Racine
- Craig Rakowski, Wauwatosa
- Kerry Sutton, New Berlin
- David Hoffman, BlackRiver Falls
- Philip Fritsche, Beaver Dam
- Rob Bultman, Wauwatosa
- Jenny Bultman, Wauwatosa
- Gary Roehrig
- Greg Stellrecht, Onalaska
- David Turk, Onalaska
- Jon Olson, La Crosse
- Tom Thompson, Onalaska
- Steve Treu, Sparta
- Sandra Thompson, Onalaska
- Jane Hagman, Manitowoc

- Brandon Bartow, Manitowoc
- Robert Schuette, Manitowoc
- James Check, Manitowoc
- Julie Mancl, Wisconsin Rapids
- Carey Larson, Plover
- David Sowieja, Stevens Point
- Eric Englund, Madison — Wisconsin Insurance Alliance
- John Bakkestuen, West Salem
- Mark Camaigri, Amherst
- Mike Lotto
- Ken Nyhns, Bloomer
- Al Sundstrom, Eau Claire
- Neil Haselwander, Eau Claire
- Randall Knapp, LaCrosse
- Tom Wellnitz, Janesville
- Wayne Foster
- Kevin Dittmer, Milwaukee
- Steve Miazga, Pewaukee
- Dave Molenda, Brookfield
- Dan Riedel, Muskego
- Christine Howard Turowski, Waukesha
- Joe Behmke, Franklin
- Michael Kaerek, Pewaukee
- Darrell Jutz, Hartford
- Barbara Slack, Monona
- Michael Lester, Eau Claire
- Brad Gustafsow, Eau Claire
- Ann Pienkos, Lake Geneva
- Audrey Boss, Delavan
- Vicki Markussen, LaCrosse
- John Lautz, West Salem
- Mark Etrheim, Onalaska
- Dave Osborne, Oregon
- Greg Schaffer, McFarland
- Abe Degnau, DeForest
- Frank Maddeki
- Ron Derrick, New Richmond
- Mike Check, Manitowoc
- Nancy Caldwell, Lake Mills
- Brian McKee, Madison
- David Dawns, Neenah
- Paul Groskraut, Oshkosh
- Cory Sillars, Wausau
- Brandon Bergman, Waukesha

- John Sowle, Brookfield
- Stan Martensen, Menasha
- David Eisele, Tigerton
- Monica Sommerfeldt Lewis, Eau Claire
- Jim Lepplu, Appleton
- Jim Byers, Oconomowoc
- Heidi Zich, Appleton
- Bill Barry, Appleton
- Bob Romenesko, Little Chute
- Michael Wissel, Beaver Dam
- Dan Schneider, Kiel
- Pam Hyps, New Berlin
- Mike Mrdjenvich, Howards
- Andrew Palec, Wauwatosa
- Steven Davis, Oshkosh
- Pete Hanson, Madison — Wisconsin Restaurant Association
- Doug Johnson, Madison — Wisconsin Merchants Federation
- Bill Smith, Madison — Wisconsin Coalition for Civil Justice
- Peter Thillman, Green Bay — WEDA
- Kaman Hanna, Baraboo
- Jennifer Brown, Green Bay — WEDA
- Jennifer Brown, Green Bay — WEDA
- Jim Hough, Madison — Wisconsin Coalition for Civil Justice
- Jim Hough, Madison — Wisconsin Economic Development Association
- Jim Hough, Madison — Civil Trial Counsel of WI
- Wendell Willis, Milwaukee — WMCA
- Pamela Jones, Waterford — HNI Risk Services Inc.
- Don Notzing, Eau Claire — TRAC Inc
- Chris Tanke, Hartland — HNI
- Joe Malett, Wauwatosa — HNI Risk Services
- Steve Mueller, Sussex — HNI Risk Services
- Carolyn Wergin, Delafield
- Tom Howells — Wisconsin Motor Carriers Association
- Richard Jenkins, Racine — Diamond Transportation
- Donald Jerrell II, East Troy — HNI Risk Services Inc.
- Mahlon Gragen, Kenosha — ATC Leasing Co.
- Steve Setterlund, Richland Center — Setterlund Trucking Inc.
- Ron Kuehn
- Gary Manke — Midwest Equipment Dealers Association
- Michael Vaughan, Madison — Wisconsin Institute of CPA's
- Eric Parker, Waterford

Registrations Against

- Ruth Simpson, Madison
- Sue Moline Larson, Madison — Rev., Lutheran Office for Public Policy in WI
- Paul Sicola, Milwaukee — Wisconsin Academy of Trial Lawyers

April 5, 2005

EXECUTIVE SESSION - POLLING

Moved by Senator Zien that **Senate Amendment 1** be recommended for adoption.

Ayes: (3) Senators Zien, Roessler and Grothman.  
Noes: (2) Senators Taylor and Risser.

ADOPTION OF SENATE AMENDMENT 1, Ayes 3, Noes 2

Moved by Senator Zien that **Senate Amendment 2** be recommended for adoption.

Ayes: (3) Senators Zien, Roessler and Grothman.  
Noes: (2) Senators Taylor and Risser.

ADOPTION OF SENATE AMENDMENT 2, Ayes 3, Noes 2

Moved by Senator Zien that **Senate Bill 58** be recommended for passage as amended.

Ayes: (3) Senators Zien, Roessler and Grothman.  
Noes: (2) Senators Taylor and Risser.

PASSAGE AS AMENDED RECOMMENDED, Ayes 3, Noes 2

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Brian Deschane  
Committee Clerk