



JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

January 6, 2006

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing Senate Bill 58. The bill makes sweeping changes to Wisconsin's product liability law and places a larger burden on consumers to prove the defective condition of products.

I am committed to investing in all of our industries and fostering a business climate in Wisconsin that promotes growth. However, growing Wisconsin's economy should not be at the expense of injured consumers' and workers' ability to hold wrongdoers accountable. For example, the bill grants automatic immunity for any product that has been in the marketplace for 15 years. This arbitrary time limit is inherently unfair and puts consumers and workers at a disadvantage, given that a defect in a product may not manifest until years after the product is placed in the stream of commerce.

In addition, the bill creates a presumption that a manufactured product is not defective if it complies with the relevant state and federal laws, at the time of sale. Unfortunately, history is full of examples – like the Ford Pinto – where manufacturers complied with existing government regulations, all the while concealing information about a product that threatened public health and safety. Producers who hide information from government regulators and the public shouldn't have an advantage against more responsible companies.

The bill also provides a liability shield for distributors and sellers when they receive products in a sealed container. By shielding these two groups from liability, it takes away the incentive of the industry as a whole to produce, sell, and market the safest products possible. Moreover, there is no definition of sealed container in the legislation, making this a dangerously vague exception.

This bill simply goes too far. Protecting products like the Ford Pinto doesn't help consumers or the economy; it simply puts the public at risk. Companies should be held fully accountable if they make a product that hurts people – especially if they knowingly do so and conceal information from government regulators.

Growing Wisconsin's economy and protecting the safety of consumers in Wisconsin are both priorities of my Administration. Any legislation must fairly balance the interests of consumers with those of manufacturers, distributors, and sellers.

Respectfully submitted,

JIM DOYLE
Governor