THE WISCONSIN STATE LEGISLATURE ttttt HHHH **HOWA BILL** BECOMES LAW



ince becoming a state in 1848, Wisconsin has continued to demonstrate strong leadership and democracy. Because of this proud history, our state has been looked to repeatedly as a national leader in government innovation and reform. "How A Bill Becomes Law" was created to help visitors understand Wisconsin's legislative process and provide suggestions on how citizens can participate in that process. This booklet explains how one idea or inspiration becomes a bill and moves through the legislative process and into the law books. It is a long road from initial development of an idea to the emergence of a new law. During consideration, the bill will be scrutinized and examined, criticized and praised. It will be changed, improved, strengthened, and even weakened. If passed, it will undergo the ultimate test of merit—time.

Words in **bold print** are defined in the Glossary at the back of the booklet. In this booklet, the bill used as an example of "How a Bill Becomes Law" is 2015 Assembly Bill 27.

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INTRODUCTION

Of the three co-equal branches of government—the executive, judicial, and legislative—the Legislature best reflects the diversity of geography, interests, and viewpoints that make up Wisconsin. The Wisconsin State Legislature is made up of two elected bodies or houses—the Assembly and Senate.

In November of the even-numbered years, voters elect all 99 state **representatives** who serve two-year terms in the Wisconsin Assembly. Wisconsin's 33 state **senators** serve four-year terms. A Senate district contains census. There are an estimated 5.9 million people living in Wisconsin, which comes to about 59,500 persons for each Assembly district. Geographically, the smallest Assembly districts are in the populous heart of Milwaukee and the largest are in the less populated areas of northern Wisconsin.

Each two-year session of the Legislature begins in January of odd-numbered years. The Legislature sets its own **session schedule** by adopting a **joint resolution**. The joint resolution divides the two-year session into

floorperiods and committee work periods.

Floorperiods range in duration from a week to several weeks during which legislators formally debate proposals in the Assembly and Senate Chambers.

Floorperiods alternate with committee work periods for each two-year session. The governor may call additional special sessions on specific subjects as he or she wishes.

three Assembly districts. For example, Senate District 1 consists of Assembly Districts 1, 2, and 3. Senate District 33 consists of Assembly Districts 97, 98, and 99. Assembly districts may vary greatly in area, but the U.S. Constitution requires that they be equal in population. Every ten years the Legislature draws new boundaries for every Assembly and Senate district to reflect population changes recorded by the U.S.



The Legislature may call itself into extraordinary session to address a particular issue. Between floorperiods and committee work, legislators respond to the needs and concerns of their **constituents**. When the session begins, the Assembly elects its officers as required by the Wisconsin Constitution. A **speaker**, **speaker pro tempore**, **chief clerk**, and **sergeant at arms** are the elected officers of the Assembly. Also, members of each party in each house elect party leadership including floor leaders and caucus officers.

The speaker and speaker pro tempore are members of the Assembly who are elected to be officers of the Assembly. The chief clerk and sergeant at arms are nonmembers of the Assembly who are the officers elected to perform and direct the administrative duties for the body.



The speaker presides over the Assembly during floorperiods, appoints members to various **standing** and **joint committees**, and refers **bills** to a particular committee.

The speaker pro tempore performs the duties of the speaker in his or her absence. With a few exceptions, every bill introduced in the Legislature is **referred** to a standing committee. All committees consist of representatives from



both major political parties and much of the Legislature's work is done in these committees. Of the 1,500 to 2,000 bills introduced in a given two-year legislative session around a quarter of them will become law.

The goal of the legislative process is for each proposal to receive the thoughtful and deliberate consideration that is due to every proposed law in the democratic system. Whether in support or opposition to a bill, all parties should be given a chance to be heard. Underlying all is a framework of rules and procedures that brings consistency, fairness, predictability, and order to the legislative process.





n 1973, the federal government set a maximum speed limit for all states at 55 mph. This was done primarily to conserve fuel during the energy crisis back in the early '70s. In 1995, the federal regulations were abolished and states returned to setting their own speed limits. At that time, Wisconsin raised the speed limit to 65 mph.

In 2013, a member of the Assembly introduced a bill that would allow for 70 mph speed limit set on certain highways. All bills are **drafted** into formal legal language by the **Legislative Reference Bureau**. The bill was introduced on September 23, 2013 and referred to the Assembly Committee on Transportation. The bill went through the committee process with a **public hearing** and an **executive session**. It passed out of committee with 9 ayes and 6 noes. The bill went to the Assembly floor on October 15 for debate and passed out of the Assembly with 63 ayes and 32 noes. The bill did not garner enough support in the Senate, and therefore, it did not advance out of commitee or receive a Senate floor vote.

DELIBERATION & EXAMINATION

Even though the idea failed to become law in 2013, there was still some momentum to try to get the law changed. The same member of the Assembly introduced the bill on February 9, 2015 as Assembly Bill 27, and it was referred to the Assembly Committee on Transportation.



increased speed limit. The bill was **authored** by 29 representatives and **sponsored** by 9 senators with members from both major political parties. Again, the bill went through the committee process with both a public hearing and executive session. This time the bill

The language for the new bill was simplified from the previous one by giving full discretion to the Department of Transportation to determine which highways should have an came out of committee with 14 ayes and 1 no. Assembly Bill 27 was brought before the whole Assembly on March 17, 2015 and passed out of the Assembly with 76 ayes and 22 noes.

MAKING A GOOD IDEA BETTER

Assembly Bill 27 was messaged to the Senate and referred to the Senate Committee on Transportation and Veterans Affairs. During the committee process, members felt the need to change the bill in order for the speed limit increase to only occur on highways that had no cross traffic. The authors believed safety was the main concern and this would maintain the safety of highways with the increased



speed limit. Senate Substitute Amendment 1 to Assembly Bill 27 was offered by the chair of the Senate committee. The bill was passed out of the Senate committee unanimously and was **concurred** in on the Senate floor by a voice vote. Then the amended bill went back to the Assembly.

In order for a bill to become law, it must pass both houses in the exact same form. Now since the Senate changed the bill with Senate substitute amendment 1 to Assembly Bill 27, the Assembly must also agree to the Senate's amendment in order for the bill to become law. There are two types of amendments, a **substitute amendment** or a **simple amendment**. The Assembly concurred in the Senate's amendment and therefore became **enrolled**. The governor signed the enrolled bill into law on May 20, 2015 and it became 2015 Wisconsin Act 19. New 70 mph highway signs on certain expressways were put up by the Department of Transportation shortly after the law became effective.

WisconsinEye Provides View of the Legislature

WisconsinEye, a privately funded, statewide public affairs network available on digital cable and over the internet, provides instant access to what's happening in our state government.

The network made its cable debut in July 2007, broadcasting the Assembly debate on the 2007–2009 state budget. It previously broadcast legislative committee meetings and budget deliberations over the internet on its web site.

The mission of the network is to provide an independent view of community affairs and public policy discussion. Its immediate goal is gavel-to-gavel, live coverage of how a bill becomes law, broadcasting legislative committee meetings, and Senate and Assembly floor sessions. It also includes coverage of activities in the executive branch and the state Supreme Court.

WisconsinEye is available on Spectrum channels 995 and 363 and streamed online. Under licensing agreements, the networks are committed to achieving statewide public access to their programming and pursuing additional means of distribution to all state residents. A complete archive of these networks' legislative coverage is also available at **wiseye.org**



THE IMPORTANCE OF CAUCUSES

A long with committee hearings, the "caucus" plays a significant role in the legislative process. There are several reasons why the members of the Legislature meet in caucus, and the reason determines what happens during the caucus. The most common caucus is the partisan meeting held each morning prior to the legislative session at a determined time.

The Caucus Chair (elected by the members of each caucus) calls the members of that party to order in their designated caucus room where they discuss all the bills on the daily calendar. Each bill and its amendments are explained, legislators discuss why they favor or oppose the legislation and questions are asked of the bill's co-sponsors or amendment authors. This type of caucus allows all legislators to know quickly whether they have the support of their own party for their bills and whether there are strong arguments against it. Since Wisconsin has a long tradition of open meetings, legislators strive to hold these meetings in "open caucus" so that anyone may attend. In some circumstances, a legislator will request a "closed caucus." Only the party members of the caucus may enter. Most closed caucus meetings are called to discuss partisan strategy on specific legislation, and sometimes the party leaders will urge their members to vote as a party bloc on an amendment, bill, or parliamentary procedure.

Another purpose of a caucus is organizational, where members of each party meet a week or two after the election to select their leadership for the upcoming session. The elected leaders then carry out the administrative duties of their leadership positions.

Finally, specific groups of legislators sometimes form a caucus for the purpose of unity, such as the Legislative Black and Hispanic Caucus and Sportsmen's Caucus.

CAUCUS:

- a meeting of the local members of a political party especially to select delegates to a convention or register preferences for candidates running for office;
- a closed meeting of party members within a legislative body to decide on questions of policy or leadership;
- a group within a legislative or decision-making body seeking to represent a specific interest or influence a particular area of policy: a minority caucus.

(American Heritage Dictionary of the English Language, Fifth Edition, 2015 Houghton Mifflin Harcourt Publishing Company.)



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FIRST & SECOND READING

The first reading is when a bill is introduced and referred to committee. This information is printed in the **Assembly Journal** and is considered the first reading. The second reading happens if a bill has been put on a **calendar** and the Assembly chief clerk reads the bill before the beginning of deliberations on the Assembly floor.

Much of the floor activity of the Legislature is concerned with the second and third readings of proposals in each house. During **second reading**, lawmakers consider amendments and, by adopting or rejecting them, may improve the bill. While there was one substitute amendment attached to Assembly Bill 27 (AB 27), the number of amendments varies with each bill. Members of each house may propose further amendments and each amendment receives separate consideration. Some bills do not survive a second reading. A few are **indefinitely postponed** while others may be referred to various committees for further "study" and never return.

THIRD READING & PASSAGE

At the **third reading**, only the bill itself comes up for discussion. It can no longer be amended. The Assembly passed AB 27 and sent it to the Senate where it would undergo a process similar to that which it had experienced in the Assembly.

The Wisconsin State Assembly votes either by **voice vote**—all in favor say "aye"; those opposed, "no"—or by a **roll call vote** registered by an electronic voting machine. On a roll call vote, each representative presses a button on his or her desk that registers red for "no" and green for "aye" on a lighted board on the Chamber wall. The board automatically tabulates the vote for and against. In the Senate, roll call votes are taken by the chief clerk who calls the name of each Senator in turn.

ON TO THE SENATE

hen AB 27 was messaged to the Senate, as stated earlier, the bill went through a process similar to what happened in the Assembly. Because the Senate amended this bill, the Assembly needed to agree with the amendment in order for the bill to become law. In this instance, the Assembly was in agreement with the amendment. But occasionally, the Assembly and Senate versions of a bill differ significantly. The bill may then be sent to a **conference committee** where the differences could be worked out. A conference committee usually consists of three members from each house appointed because of their special interest in that particular bill. Bills returned from a conference committee must be voted up or down; they may not be amended.



APPROVAL OF THE GOVERNOR

... and Into the Law Books

A fter AB 27 passed both houses of the Legislature in identical form, it was enrolled and sent to the governor for his signature.

The governor may approve a bill, **veto** it, or in the case of an appropriation bill, veto it in part. If the governor vetoes a bill or vetoes any part of an appropriation bill, he or she must state to the Legislature the reason for the veto.

The governor signed AB 27. If he had opposed the bill and decided to use his veto power, he would have had to send a **veto message** to the Assembly within six days (Sundays excepted) of having received the bill. If the governor did not sign or veto the bill within the allotted time, the bill would become law without the governor's signature. However, this rarely happens.

The Legislature informally furnishes the governor's staff with copies of the enrolled bill for analysis. When the research is completed, the chief clerk's office delivers an official copy of the bill. If the governor does not request a bill, the session schedule joint resolution sets a deadline when all bills must be sent to the governor.

In the case of a veto, the Legislature may **override**, or pass the bill over the governor's



veto by a two-thirds vote in each house. If the Legislature does not respond to a veto, it will be **sustained**.

The day the governor signs a bill is known as the law's "date of enactment." The bill then becomes an **act** or **law**. Laws take effect the day following the date of publication unless otherwise stated in the bill. The date of publication is one day after the date of enactment. A notice is then published in the official state newspaper alerting the people of Wisconsin of the new law.

CONCLUSION

This booklet has provided you with a description of one bill's progress through the Wisconsin State Legislature. Now that you are more familiar with the process—from first introduction of a bill to its final passage—you may find yourself playing a more active role in that process. It is important that you, as a citizen of Wisconsin and a constituent of a representative and senator, know and understand how your state government works. More importantly, however, is your participation in that process.



State of Misconsin 2015 - 2016 LEGISLATURE

LRB-1014/1 EVM:kjf:jm

2015 ASSEMBLY BILL 27

February 9, 2015 – Introduced by Representatives TITL, AUGUST, BALLWEG, BRANDTJEN, R. BROOKS, CRAIG, CZAJA, GANNON, HORLACHER, HUTTON, JAGLER, JARCHOW, KAPENGA, KERKMAN, KLEEFISCH, KNODL, KNUDSON, KOOYENGA, KUGLITSCH, MILROY, MURSAU, J. OTT, QUINN, RIPP, ROHRKASTE, SKOWRONSKI, THIESFELDT, VORPAGEL and WEATHERSTON, cosponsored by Senators LEMAHIEU, WANGGAARD, FARROW, GUDEX, LASEE, L. TAYLOR, TIFFANY, VUKMIR and LAZICH. Referred to Committee on Transportation.

AN ACT to amend 346.57 (4) (gm) of the statutes; relating to: the maximum

speed limit on freeways and expressways.

Analysis by the Legislative Reference Bureau

Under current law, the maximum speed limit on any freeway or expressway in this state is 65 miles per hour. A "freeway" is defined as any state trunk highway with four or more lanes of traffic separated by a barrier or median (a paved or landscaped strip between opposing traffic) that gives preference to through traffic by limiting access to only interchanges. An "expressway" is also defined as any state trunk highway, but only a state trunk highway that the Department of Transportation (DOT) determines has four or more lanes of traffic separated by a barrier or median that gives preference to through traffic by use of interchanges or by limiting at-grade access to selected public roads and driveways.

This bill increases the maximum speed limit on freeways and expressways from 65 miles per hour to 70 miles per hour. This speed limit of 70 miles per hour does not take effect until DOT posts the limit by official traffic signs.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 346.57 (4) (gm) of the statutes is amended to read:

346.57 (4) (gm) Sixty-five Seventy miles per hour on any freeway or

expressway.

(END)

STAY IN TOUCH

How to contact your representative

he actions of state government should be based on the wishes and concerns of its citizens. Unfortunately, many people never communicate with their elected officials. Your state representative needs to hear from you. It is important that he or she understands your concerns, knows your position on a bill (support or opposition), and answers your questions about legislative proposals before the Assembly.

Don't hesitate to phone, write letters, email, or arrange face-to-face meetings with your representative to discuss your views on issues that affect you, your family, and your community.

Because lawmakers often rely on communications from constituents to gauge public opinion in their districts, here are some things to remember:

1) <u>Contact your own legislator</u> as well as the chairperson and members of the appropriate committee. It is important that committee members receive your opinion while they are holding hearings on legislation in which you are interested.

2) Put your return address on the letter. The envelope sometimes gets thrown away before the letter is answered. If you are emailing a message, include your full name and address.

- **3) Identify your subject clearly.** If you are writing about a specific piece of legislation, provide the name or number of the bill, if possible.
- **4) State your reasons clearly.** Your own personal experience is the best supporting evidence. Explain how the issue affects you, your family, or your community. Be specific and brief (one page is best). Clearly state whether you are for or against the bill or resolution. Support your position with reliable facts and figures.

5) Write your letter in your own words.

Avoid "form" letters which identify your message as part of an organized pressure campaign. These have little impact. A sincere, heartfelt letter expressing your concerns is much more influential.

- 6) <u>Be reasonable.</u> Don't ask for the impossible or engage in threats. Courtesy is always appropriate—if you disagree, do so without being disagreeable.
- 7) <u>Time the arrival of your contact.</u> Your phone call, letter or email should reach your legislator BEFORE legislation is acted upon in a committee or on the Assembly floor. Usually it is best to offer comments on legislation while it is still in committee.
- 8) <u>Ask your legislator for his or her</u> <u>position in a response.</u> As a constituent, you are entitled to know.
- **9)** <u>Thank your legislator</u> if he or she has done something you think is right on a particular issue. Everyone likes a pat on the back, and it will be remembered.



CORRESPONDENCE CAN BE SENT TO LEGISLATORS AT THE FOLLOWING ADDRESSES:

Members' last names beginning with A-L ... P.O. Box <u>8952</u>, Madison, WI 53708 Members' last names beginning with M-Z ... P.O. Box <u>8953</u>, Madison, WI 53708

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FIND INFORMATION ONLINE



remendous resources are available online to help students and other interested citizens learn about the Wisconsin State Assembly and follow legislative action as it takes place. Look up information about the Assembly and your representative as well at:

Wisconsin State Legislature legis.wisconsin.gov

- Email addresses
- Wisconsin state statutes, constitution & administrative code
- Legislator information (includes district maps, committee assignments, biographical information)
- Text of bills & amendments
- · Legislative journals (includes roll call votes)
- Author index to legislation
- Bill history information
- Public hearing schedules
- Committee information & schedule
- Session schedule
- Wisconsin State Blue Book
- Lobbying directory
- Legislative service agencies

Assembly Chief Clerk legis.wisconsin.gov/assembly/acc

- Legislative information
- Assembly history & facts
- Chief Clerk staff
- Committee schedule
- Assembly standing committees
- Joint standing committees
- Seating chart by name
- Seating chart by photo
- How a Bill Becomes Law
- Student activity booklet
- Notification service
- Law & legislation



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HOW A BILL BECOMES LAW



GLOSSARY

Act — A bill that has passed both houses of the legislature, been enrolled, and been approved by the governor or passed over the governor's veto, or that becomes law without the signature of the governor, and published.

Adjourn — To conclude a legislative day's business.

- Adoption Approval of a motion, amendment, resolution, or joint resolution.
- **Amendment** When a change is made in a bill, it is said to be amended. There are simple and substitute amendments.
- **Appropriation** Money set aside by formal action for a specific use.
- **Assembly Journal** The official publication of the Assembly.
- Authors, Sponsors The author or co-authors of a bill are those who introduce it into the house in which they are members. The sponsor or co-sponsors also sign the bill in support of its introduction but are members of the other house. Bills often have many co-authors and co-sponsors.
- **Bill** A proposed change of law originating in either house, requiring passage by one house and concurrence of the other house of the legislature and approval of the governor, or passage notwithstanding the objections of the governor by a two-thirds vote in each house, or that becomes law without the signature of the governor, before becoming effective.
- **Calendar** The Assembly or Senate agenda of bills, resolutions, joint resolutions, etc. scheduled for any legislative day.

Chair — The presiding officer.

- **Chief Clerk** The officer elected by the body to perform and direct the administrative, clerical and personnel functions of the body (Assembly or Senate).
- **Concurrence** When a measure is passed in one house, it is sent to the other for concurrence (agreement, passage). A bill must pass both houses in identical form to become law.
- **Conference Committee** If the Assembly and Senate pass different versions of a bill, it may be referred to a conference committee where members of both houses will attempt to work out differences.
- **Constituents** The people who live in a given Assembly or Senate district.
- **Drafted Proposals** Bill proposals are researched and assembled into formal legal language by attorneys in the Legislative Reference Bureau.
- **Engrossed** A proposal incorporating all adopted amendments and all approved technical corrections in the house of origin.
- **Enrolled** Once a measure has completed the legislative process, its amendments are consolidated or enrolled and prepared to be sent to the governor for signature.
- **Executive Session** A committee meeting when members vote. Active participation is limited to committee members.

- **First Reading** The introduction of the bill published in the Assembly Journal that a bill has been introduced and referred to committee.
- **Fiscal Estimate** An estimate of the change in state and local government revenues and expenditures that would be caused by passage of a bill.
- **Floor Debate** Discussion of a proposal on the "floor" of the Assembly or Senate.
- **Floorperiods** Spans of time ranging from a week to several weeks during which legislators formally debate proposals in the Assembly and Senate Chambers.
- **Indefinitely Postpone** A motion to kill a proposal in its house of origin for a legislative session.
- Joint Committee on Finance Any bill introduced in either house of the Legislature appropriating money must be referred to this committee to qualify for passage.
- Joint Resolution A proposal expressing the opinion of the Legislature, changing joint rules, or proposing an amendment to the state constitution, requiring adoption by both houses. The governor's approval is not required.
- Joint Standing Committee A committee comprised of members of both houses.
- **Law** A bill passed by the Wisconsin Legislature and approved by the governor.
- **Legislative Reference Bureau** Where proposed laws are researched and put into formal legal language.
- **Legislators** Members of the Wisconsin Legislature. The 99 members of the Assembly are called State Representatives and each represents about 57,500 people living within his or her Assembly district. Thirty-three Senators constitute the Wisconsin Senate and each represents a Senate district made up of three Assembly districts.
- Lobbyist One who represents the views of industries, organizations, and government agencies before the Legislature. Individual citizens may also lobby their legislators on matters of concern to them.
- Motion A term of parliamentary procedure for a proposal that something be done; motion to adjourn, motion to postpone, etc.
- **Override** The Legislature may pass a measure over the governor's objections by voting to override the veto by a two-thirds vote of the members present in both the Assembly and Senate.
- **Public Hearing** A committee meeting at which members of the public, lobbyists, legislators, and agency representatives speak or register for or against a proposal.
- **Referred** When bills are sent to a committee or moved from one committee to another, they are said to be referred.
- **Representatives** Legislators elected in November of even-numbered years to two-year terms in the Assembly. Each of the 99 Assembly members represents a district containing about 57,500 persons.
- **Roll Call Vote** A vote on which each member's vote is recorded by name.

- **Rules** At the beginning of each session, the Legislature adopts detailed rules of parliamentary procedure. Those rules have evolved slowly over generations from procedures devised by Thomas Jefferson and from those in use hundreds of years earlier in English Parliament. They are designed to promote fairness and deliberation in the legislative process.
- **Rules Committee** The Assembly standing committee responsible for scheduling bills for floor debate. Its counterpart in the Senate is the Committee on Organization.
- **Second Reading** The stage where amendments are considered.
- **Senators** Legislators who serve four-year terms in the Senate and are elected in alternate even-numbered years. Those representing the 17 odd-numbered districts are elected in the years in which a governor is elected. Those from the 16 even-numbered districts are elected in Presidential election years. Each of the 33 Senate districts contains three Assembly districts.
- **Sergeant-at-Arms** The officer elected by the body to perform and direct the police and custodial functions of the body (Assembly or Senate).
- **Session Schedule** A schedule that divides the two-year session into floorperiods and committee work periods. It is adopted by the Legislature at the beginning of the session.
- **Simple Amendment** A change in the original bill or a substitute amendment.
- **Speaker** A member of the Assembly elected by the members of the Assembly to be the chief presiding officer of the Assembly.
- **Speaker Pro Tempore** A member of the Assembly elected by the members of the Assembly to perform the duties of the speaker in his or her absence.
- **Sponsors, Authors** The author or co-authors of a bill are those who introduce it into the house in which they are members. The sponsor or co-sponsors also sign the bill in support of its introduction but are members of the other house. Bills often have many co-authors and co-sponsors.
- **Standing Committee** Standing committees carry on much of the work of each house in the Legislature. Each legislator is assigned to several committees in his or her own house and, in addition, may serve on one or more joint committees.
- **Substitute Amendment** A change that completely rewrites and replaces a proposed piece of legislation.
- **Sustain** To uphold the governor's position when he or she vetoed all or part of a bill.
- **Third Reading** The final reading when the bill itself comes up for discussion and final vote. It may no longer be amended.
- **Veto** If the governor disagrees with a measure passed by the Legislature, he or she may reject, or veto it.
- Veto Message If the governor decides to veto a bill, he or she must explain the veto in a message to the Legislature within six days (Sundays excepted) of receiving the bill.
- **Voice Vote** A vote of the Assembly whereby members verbally express "aye" or "no".

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Assembly Chief Clerk

17 W. Main, Suite 401, Madison, WI 53703 (608) 266-1501