



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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| 2005 Senate Bill 450 | Assembly Amendments 1 and 2 |
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Senate Bill 450 makes various changes to the construction lien law contained in subch. I of ch. 779, Stats.

Assembly Amendment 1 provides two definitions that apply to subch. I of ch. 779, Stats. “Labor” is defined under the amendment as including any wages and related contributions for state employment taxes, worker’s compensation and unemployment compensation insurance, and other fringe benefits. “Materials” is defined under the amendment as including any construction materials, supplies, tools, fixtures, equipment, machinery, vehicles, fuel, and energy. The definitions apply to both privately funded and publicly funded construction and address concerns about the interpretation of mere reference to “labor” and “materials” in connection with what is subject to a lien under the subchapter. The use of the word “includes” in both definitions means that the definitions are not exhaustive.

Assembly Amendment 2 revises the definition of “serve” or “served” under the proposal to provide that for purposes of s. 779.15, Stats. (publicly financed projects), the terms mean, with respect to serving the state, delivery by registered or certified mail. This change was requested by the Department of Transportation.

Legislative History

Assembly Amendments 1 and 2 were offered by Representative Moulton. The Assembly adopted both amendments on a voice vote. The Assembly concurred in the proposal, as amended, by a vote of Ayes, 94; Noes, 0; Paired, 2.

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