



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2005 Assembly Bill 278

**Assembly
Amendments 2 and 6**

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Assembly Amendment 2 addresses that portion of Assembly Bill 278 which authorizes creation of a lien in connection with “special tools.”

Item 1. of the amendment corrects a reference in the definition of “special tool” by providing for reference to a ferrous or nonferrous “machined” part, rather than a “machine” part.

Item 2. of the amendment revises one of the requirements for a “special tool builder” to have a lien on a special tool. Under the bill, one of the requirements is to permanently record on the special tool the special tool builder’s name, street address, city, and state. As an alternative to that required information, the amendment allows “other traceable identification” to be recorded on the tool. There was testimony at the public hearing on Assembly Bill 278 that it is not possible to record the toolmaker’s name and address on some special tools.

Assembly Amendment 6 addresses that portion of Assembly Bill 278 which applies the proposal’s provisions on expert testimony in civil proceedings to administrative contested cases governed by ch. 227, Stats. Under the bill, the application of the expert testimony provisions to ch. 227 contested cases expressly does not include “cases under s. 59.694 or 62.23 (7) (e).” These cases are county zoning board of adjustment cases and city and village zoning board of appeals cases, respectively. However, these cases are not governed by ch. 227 contested case provisions; therefore, the reason these cases are cited as an exception to the application of the expert testimony provisions to ch. 227 contested cases is not apparent. The amendment removes reference to these zoning-related cases.

Legislative History

Assembly Amendment 2 was offered by the Assembly Committee on Judiciary. Assembly Amendment 6 was offered by Representatives Hundertmark and Gundrum. Both amendments were adopted by the Assembly on a voice vote.

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