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1995 SENATE BILL 120

March 22, 1995 – Introduced by Senators Weeden, Darling, Farrow, Buettner and Drzewiecki, cosponsored by Representatives Coleman, Wood, Ainsworth, Goetsch, Kreuser, Schneiders, Lehman, Silbaugh, La Fave, Albers, Ward, Olsen, Gunderson, Kaufert and Grothman. Referred to Committee on Education and Financial Institutions.

- 1 AN ACT to amend 779.43 (title) and 779.43 (3); and to create 779.41 (1m), 779.43
- 2 (1) (c) and 779.43 (4) of the statutes; **relating to:** liens against boats.

Analysis by the Legislative Reference Bureau

This bill permits the creation of a lien (a charge against property to secure a debt) against a boat for repairs and storage of the boat. The bill includes boats under the mechanic's lien law, a provision that allows a mechanic to retain property that the mechanic repairs until the repair charges are paid. The bill also includes a marina keeper under the garage keeper lien law, a provision that allows the marina keeper to retain stored property until storage charges relating to that property are paid.

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

- 3 **SECTION 1.** 779.41 (1m) of the statutes is created to read:
- 779.41 (1m) (a) Subsection (1), as it applies to a mechanic, mechanic's employer or keeper of a garage or shop, applies to a boat mechanic, boat mechanic's employer or keeper of a marina or shop at which boats are repaired.
- 7 (b) A lien under this subsection is in addition to any remedy available under 8 ch. 780.
 - **Section 2.** 779.43 (title) of the statutes is amended to read:

1	779.43 (title) Liens of keepers of hotels, livery stables, garages, marinas and
2	pastures.
3	Section 3. 779.43 (1) (c) of the statutes is created to read:
4	779.43 (1) (c) "Marina" includes any property used for the storage or mooring
5	of boats, whether on land or in water.
6	Section 4. 779.43 (3) of the statutes is amended to read:
7	779.43 (3) Every keeper of a garage, marina, livery or boarding stable, and
8	every person pasturing or keeping any carriages, automobiles, boats, harness or
9	animals, and every person or corporation, municipal or private, owning any airport,
10	hangar or aircraft service station and leasing hangar space for aircraft, shall have
11	a lien thereon and may retain the possession thereof for the amount due for the keep,
12	support, storage or repair and care thereof until paid. But no garage or marina
13	keeper shall exercise the lien upon any automobile or boat unless there shall be
14	posted in some conspicuous place in the garage or marina a card, stating the charges
15	for storing automobiles <u>or boats</u> , easily readable at a distance of 15 feet.
16	Section 5. 779.43 (4) of the statutes is created to read:
17	779.43 (4) A lien of a marina keeper under this section is in addition to any
18	remedy available under ch. 780.
19	Section 6. Initial applicability.
20	(1) This act first applies to the repair or storage of a boat on the effective date
21	of this subsection.
22	Section 7. Effective date.
23	(1) This act takes effect on the first day of the 3rd month beginning after
24	publication.
25	(END)