

**ASSEMBLY AMENDMENT 3,
TO 2001 ASSEMBLY BILL 892**

March 7, 2002 – Offered by Representatives RILEY, SCHOOFF, LA FAVE, KRUG, BALOW,
PLALE and SHILLING.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: delete “certain”.

3 **2.** Page 10, line 11: delete lines 11 to 14.

4 **3.** Page 11, line 1: delete lines 1 to 25.

5 **4.** Page 12, line 1: delete lines 1 to 8 and substitute:

6 **“SECTION 2d.** 109.09 (2) (c) of the statutes is amended to read:

7 109.09 **(2)** (c) A lien under par. (a) takes precedence over all other debts,
8 judgments, decrees, liens, or mortgages against the employer, except ~~a lien of a~~
9 ~~financial institution, as defined in s. 69.30 (1) (b), that originates before the lien~~
10 ~~under par. (a) takes effect or a lien under s. 292.31 (8) (i) or 292.81, regardless of~~
11 ~~whether those other debts, judgments, decrees, liens, or mortgages originate before~~
12 ~~or after the lien under par. (a) takes effect.~~ A lien under par. (a) may be enforced in
13 the manner provided in ss. 779.09 to 779.12, 779.20, and 779.21, insofar as those

1 provisions are applicable. The lien ceases to exist if the department of workforce
2 development or the employee does not bring an action to enforce the lien within the
3 period prescribed in s. 893.44 for the underlying wage claim.”.

4 **5.** Page 44, line 25: after that line insert:

5 **“SECTION 45m. Initial applicability.**

6 (1) WAGE CLAIM LIEN PRIORITY. The treatment of section 109.09 (2) (c) of the
7 statutes first applies to a lien under section 109.09 (2), 1995 stats., that takes effect
8 on the effective date of this subsection.”.

9 **6.** Page 45, line 6: delete lines 6 to 8 and substitute:

10 “(2m) WAGE CLAIM LIEN PRIORITY. The treatment of section 109.09 (2) (c) of the
11 statutes and SECTION 45m (1) of this act take effect retroactively to February 1,
12 1998.”.

13 (END)