

**ASSEMBLY AMENDMENT 73,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55**

June 29, 2001 – Offered by Representatives POCAN, MILLER, TURNER and BERCEAU.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 912, line 11: after that line insert:

3 “**SECTION 2604q.** 109.09 (2) (c) of the statutes is amended to read:

4 109.09 (2) (c) ~~A~~ Except as provided in this paragraph, a lien under par. (a)
5 takes precedence over all other debts, judgments, decrees, liens, or mortgages
6 against the employer, except a lien of a financial institution, as defined in s. 69.30
7 (1) (b), that originates before the lien under par. (a) takes effect or a lien under s.
8 292.31 (8) (i) or 292.81, regardless of whether those other debts, judgments, decrees,
9 liens, or mortgages originate before or after the lien under par. (a) takes effect. A lien
10 under par. (a) takes precedence over a lien of a financial institution, as defined in s.
11 69.30 (1) (b), that originates before the lien under par. (a) takes effect only to the
12 extent that the lien under par. (a) does not exceed \$6,000 per employee, except that

1 this \$6,000 limit does not apply to a lien for a payment due under s. 109.07 (3) or
2 109.075 (3). A lien under par. (a) may be enforced in the manner provided in ss.
3 779.09 to 779.12, 779.20₁ and 779.21, insofar as those provisions are applicable. The
4 lien ceases to exist if the department of workforce development or the employee does
5 not bring an action to enforce the lien within the period prescribed in s. 893.44 for
6 the underlying wage claim.”.

7 **2.** Page 1414, line 2: after that line insert:

8 “(8e) WAGE CLAIM LIENS. Notwithstanding section 109.09 (2) (c), 1999 stats., the
9 treatment of section 109.09 (2) (c) of the statutes first applies to a lien under section
10 109.09 (2) (a) of the statutes for wages earned on the effective date of this
11 subsection.”.

12 (END)