



**SENATE AMENDMENT 3,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 2**

September 30, 2003 – Offered by Senators DECKER, ROBSON, CARPENTER, HANSEN,
WIRCH and CHVALA.

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

2 **1.** Page 2, line 5: delete that line and substitute “priority of a wage claim lien
3 over a prior lien of a financial”.

4 **2.** Page 2, line 18: delete lines 18 to 23.

5 **3.** Page 3, line 1: delete lines 1 to 24.

6 **4.** Page 4, line 1: delete lines 1 to 16 and substitute:

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

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

1 779.21, insofar as those provisions are applicable. The lien ceases to exist if the
2 department of workforce development or the employee does not bring an action to
3 enforce the lien within the period prescribed in s. 893.44 for the underlying wage
4 claim.”.

5 **5.** Page 40, line 18: delete lines 18 to 25.

6 **6.** Page 41, line 1: delete lines 1 and 2 and substitute:

7 “(2x) WAGE CLAIM LIENS. Notwithstanding section 109.09 (2) (c), 2001 stats., a
8 lien that exists under section 109.09 (2) (a) of the statutes on the day before the
9 effective date of this subsection takes precedence over a lien of a financial institution,
10 as defined in section 69.30 (1) (b) of the statutes, that originated before the lien under
11 section 109.09 (2) (a) of the statutes took effect.”.

12 **7.** Page 41, line 8: delete lines 8 to 11.

13 (END)