

**ASSEMBLY AMENDMENT 1,  
TO 2003 SENATE BILL 49**

March 3, 2004 – Offered by COMMITTEE ON CORRECTIONS AND THE COURTS.

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

2           **1.** Page 2, line 1: before that line insert:

3           “**SECTION 1d.** 227.45 (1) of the statutes is amended to read:

4           227.45 **(1)** Except as provided in sub. (1m) and ss. 19.52 (3) and 901.05, an  
5           agency or hearing examiner shall not be bound by common law or statutory rules of  
6           evidence. The agency or hearing examiner shall admit all testimony having  
7           reasonable probative value, but shall exclude immaterial, irrelevant or unduly  
8           repetitious testimony or evidence that is inadmissible under s. 901.05. The agency  
9           or hearing examiner shall give effect to the rules of privilege recognized by law. Basic  
10          principles of relevancy, materiality and probative force shall govern the proof of all  
11          questions of fact. Objections to evidentiary offers and offers of proof of evidence not  
12          admitted may be made and shall be noted in the record.

13          **SECTION 1g.** 227.45 (1m) of the statutes is created to read:

