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State of Misconsin 2011 - 2012 LEGISLATURE



January 2011 Special Session

SENATE AMENDMENT 17, TO SENATE BILL 1

January 18, 2011 - Offered by Senator MILLER.

At the locations indicated, amend the bill as follow
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- **1.** Page 28, line 5: after "907.02 (1)" insert "or 907.025 (1)".
 - **2.** Page 28, line 6: delete lines 6 to 17 and substitute:
- **"Section 34m.** 907.02 of the statutes is renumbered 907.02 (1) and amended to read:
- 907.02 (1) If Except as provided in s. 907.025 (1), if scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise, if the testimony is based upon sufficient facts or data, the testimony is the product of reliable principles and methods, and the witness has applied the principles and methods reliably to the facts of the case.".
 - **3.** Page 28, line 22: after that line insert:

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"Section 37m. 907.025 of the statutes is created to read:

907.025 Testimony by experts; certain actions. (1) In an action under chs. 765 to 769, 813, or 980, if scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise.

- **(2)** Notwithstanding sub. (1), the testimony of an expert witness may not be admitted if the expert witness is entitled to receive any compensation contingent on the outcome of any claim or case with respect to which the testimony is being offered.".
- **4.** Page 30, line 25: delete "and 907.02 (1) (a), (b), and (c) and (2)" and substitute "907.02 (2), and 907.025".

13 (END)