

No. 200, A.]

[Published July 28, 1961.

#### CHAPTER 298

AN ACT to amend 165.04 (2) of the statutes, relating to certain functions of state crime laboratory experts in trials, and their compensation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

165.04 (2) of the statutes is amended to read:

165.04 (2) Upon the termination or cessation of the criminal proceedings, the privilege of the testimony obtained by the laboratory may be waived by the superintendent. Thereafter the superintendent and employes of the laboratory may be subpoenaed in civil actions in regard to any information and analysis of evidence previously obtained in such criminal investigation, but the laboratory shall not be engaged in any investigation requested solely for the preparation for trial of a civil matter. \* \* \* *Upon appearance as a witness or receipt of a subpoena or notice to prepare for trial in a civil action, or appearance either with or without subpoena, the experts shall be compensated by the party at whose request the appearance or preparation was made in a reasonable amount to be determined by the trial judge, which \* \* \* fee shall be paid into the state treasury. In fixing such compensation the court may give consideration to the time spent in obtaining and analyzing the evidence for the purposes of criminal proceedings.*

Approved July 21, 1961.