

LEGISLATIVE BILL 233

Approved by the Governor May 9, 1985

Introduced by Beutler, 28

AN ACT relating to fees; to amend section 33-139.01, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to witness and other fees and expenses; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 33-139.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-139.01. Notwithstanding any existing provision to the contrary, when any employee of the State of Nebraska or of any political subdivision thereof is called as a witness by the State of Nebraska or a political subdivision thereof in connection with his or her officially assigned duties, or when any privately employed security guard is called as a witness by his or her employer in connection with his or her officially assigned duties, in any action or proceeding in any court in this state in connection with his or her officially assigned duties, he or she shall not receive any witness fee, attendance fee, or mileage fee which shall be taxed as court costs in such action or proceeding, except that he or she shall be compensated for his or her actual and necessary expenses when required to travel outside of the county of his or her residence. Payment for such actual and necessary expenses shall be made by the party who calls the employee as a witness. 7 payment to be made by the government or employer which called him or her.

For purposes of this section, volunteer firefighters and rescue squad members testifying in that capacity alone shall not be deemed employees of the State of Nebraska or of any political subdivision of this state.

Sec. 2. That original section 33-139.01, Reissue Revised Statutes of Nebraska, 1943, is repealed.