

LEGISLATIVE BILL 282

Approved by the Governor May 5, 1975

Introduced by Judiciary Committee, Luedtke, 28, Chmn.;  
Barnett, 26; Chambers, 11; DeCamp, 40;  
Anderson, 37; Nichol, 48

AN ACT relating to courts; to amend section 26-173.01, Revised Statutes Supplement, 1974; to extend provisions to all courts; to amend section 33-139, Revised Statutes Supplement, 1974; to reduce the witness fee in the Small Claims Court; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 26-173.01, Revised Statutes Supplement, 1974, be amended to read as follows:

~~26-173.01:~~ Notwithstanding any existing provision to the contrary, whenever 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 any action or proceeding in any court in this state in connection with his officially-assigned duties, he shall not receive any witness fee, attendance fee, or mileage fee which shall be taxed as court costs in such action or proceeding; Provided, that he shall be compensated for his actual and necessary expenses when called as a witness by the state or political subdivision thereof and is required to travel outside of the county of his residence, payment to be made by the government which called him.

Sec. 2. That section 33-139, Revised Statutes Supplement, 1974, be amended to read as follows:

33-139. Witnesses before the district, court and the county, or municipal court, except the Small Claims Court, and the grand jury shall receive twenty dollars, and witnesses before the Small Claims Court shall receive eight dollars, for each day actually employed in attendance on the court or grand jury, and if the said witness shall reside more than one mile from the courthouse or place where the court is held, he shall receive eight cents for each mile necessarily traveled.

Sec. 3. That original sections 26-173.01 and 33-139, Revised Statutes Supplement, 1974, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.