

LEGISLATIVE BILL 303

Approved by the Governor April 10, 1991

Introduced by Warner, 25

AN ACT relating to condemnation; to amend section 76-723, Reissue Revised Statutes of Nebraska, 1943; to change a provision relating to appraisers' fees; to repeal the original section; and to declare an emergency.

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

Section 1. That section 76-723, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

76-723. The appraisers shall each receive a reasonable fee for their services, to be fixed by the county judge or clerk magistrate, and the same shall be taxed as costs. The fee shall not exceed two hundred fifty dollars for each appraiser exclusive of mileage for each day actually employed in attendance on the board of appraisers. The condemner may appeal from the allowance of any fee so fixed to the district court. Such an appeal shall be docketed apart from and shall be considered separately and independently from the rights between the condemnee and condemner. All costs of the first appraisal shall be paid by the condemner. In addition, the appraiser shall receive mileage at the rate provided in section 81-1176 for each mile necessarily traveled.

Sec. 2. That original section 76-723, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.