# HOUSE BILL NO. 803

# INTRODUCED BY PECK

## IN THE HOUSE

February 12, 1985	Introduced and referred to Committee on Judiciary.
February 20, 1985	Committee recommend bill do pass as amended. Report adopted.
	Bill printed and placed on members' desks.
February 22, 1985	Second reading, do pass.
	Considered correctly engrossed.
February 23, 1985	Third reading, passed.
	Transmitted to Senate.

### IN THE SENATE

March 4, 1985	Introduced and referred to Committee on Judiciary.
March 20, 1985	Committee recommend bill be concurred in. Report adopted.
March 23, 1985	Second reading, concurred in.
March 26, 1985	Third reading, concurred in. Ayes, 48; Noes, 2.
	Returned to House.

## IN THE HOUSE

March 27, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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4	A BILL FOR AN ACT ENTITLED: "AN ACT CONFORMING JUROR AND
5	WITNESS FEES IN COURTS NOT OF RECORD TO THOSE OF COURTS OF
6	RECORD; AMENDING SECTIONS 3-15-203, 26-2-502, AND 26-2-503,
7	MCA."
ù	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 3-15-203, MCA, is amended to read:
11	"3-15-203. Fees in courts not of record and coroner's
12	inquests. (1) Jurorsin-courts-not-of-record A jury panel
13 .	$\underline{\text{member}},$ in both civil and criminal actions, shall receive $\ a$
14	fee of \$12 per day for attendance before a court not of
15	record and a mileage allowance, as provided in 2-18-503, for
16	traveling each way between his residence and the court. A
17	jury panel member selected for a case shall receive an
18	additional \$13 per day while se ving.
19	(2) In civil actions, the jurors' fees must be paid by
20	the party demanding the jury and taxed as costs against $% \left( 1\right) =\left( 1\right) \left( 1\right) +\left( 1\right) \left( 1\right) \left( 1\right) +\left( 1\right) \left( 1\right) \left($
21	losing party.
22	(2)(3) Jurors in coroner's inquests shall receive a
23	fee of \$7.50 per day."
24	Section 2. Section 26-2-502, MCA, is amended to read:

"26-2-502. Witnesses in courts not of record -- civil

-	actions. Witheses in courts not of record in civil actions
2	and proceedings shall receive \$3 \$10 for each day's actual
3	attendance and mileage as provided in 2-18-503 for each mile
4	actually traveled in going from their residences by the
5	usual traveled route to the court and return."
6	Section 3. Section 26-2-503, MCA, is amended to read:
7	"26-2-503. Witnesses in courts not of record
8	criminal actions and on coroner's inquests. Witnesses in
9	courts not of record in criminal actions and on coroner's
10	inquests shall receive \$3 \$10 per day for actual attendance
11	and mileage as provided in 2-18-503 for each mile actually
12	and necessarily traveled from their places of residence to
13	the court and return."

-End-

#### APPROVED BY COMMITTEE ON JUDICIARY

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17	jury panel member selected for a case shall receive ar
18	additional \$13 per day while serving.
19	(2) In civil actions, the jurors' fees must be paid by
20	the party demanding the jury and taxed as costs against the
21	losing party.
22	(2)(3) Jurors in coroner's inquests shall receive a
23	fee of \$7.50 per day.
24	(4) A JUROR WHO IS EXCUSED FROM ATTENDANCE UPON HIS
25	OWN MOTION ON THE FIRST DAY OF HIS APPEARANCE IN OBEDIENCE
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HOUSE BILL NO. 803

1	TO NOTICE OR WHO HAS BEEN SUMMONED AS A SPECIAL JUROR AND
2	NOT SWORN IN THE TRIAL OF THE CASE SHALL FORFEIT PER DIEM
3	AND MILEAGE."
4	Section 2. Section 26-2-502, MCA, is amended to read:
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6	actions. Witnesses in courts not of record in civil actions
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11	Section 3. Section 26-2-503, MCA, is amended to read:
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49th Legislature HB 0803/02

HB 0803/02

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.6	traveling each way between his residence and the court. A
7	jury panel member selected for a case shall receive an
.8	additional \$13 per day while serving.
9	(2) In civil actions, the jurors' fees must be paid by
0	the party demanding the jury and taxed as costs against the
1	losing party.
2	(2)(3) Jurors in coroner's inquests shall receive a
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24	[4] A JUROR WHO IS EXCUSED FROM ATTENDANCE UPON HIS
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