

March 20, 1975

PRESIDENT: Senator Chambers. Bear in mind, Senator Chambers, that we couldn't find Senator Cavanaugh and his motion, apparently. Do you have a motion on LB 287, Senator Cavanaugh?

SENATOR CAVANAUGH: Do I?

PRESIDENT: An amendment, perhaps.

CLERK: To 287, it is found on Page 955 of the Journal. Read.

SENATOR CAVANAUGH: Last year I offered an amendment that increased jury pay and at the time I did that, the way it was drafted, it also increased witness fees. It wasn't my intention. I thought the jury should be paid \$20 per day because they are there all day. Witnesses generally don't spend that much time and I think the \$20 for an appearance by a witness is probably excessive. So I am offering this amendment now to this bill to reduce the witness fee back to \$10 where it was a year ago because I, personally, feel that that is a reasonable fee for that service. So I would move the adoption of the amendment.

PRESIDENT: Any further discussion. Senator Syas.

SENATOR SYAS: Well, I am just curious. I don't think \$20 is excessive. By the time a person that I work with lays off of work and loses two or three hours work by going up to a court, even though he may not take too long to testify, going and coming and all that, I, personally, don't think \$20 is excessive.

PRESIDENT: Senator Marsh.

SENATOR MARSH: I have a question for Senator Cavanaugh, please. Senator Cavanaugh, is it your intent that this be a flat fee so that if a person is actually kept on the witness stand all day with examination and cross-examination, the fee still, even if he may be an architectural engineer or another professional person, the fee would still only be \$10?

SENATOR CAVANAUGH: Well, yes, it would be a flat fee. Currently it is \$20 and I...the amendment would reduce it to \$10.

SENATOR MARSH: You might have a difficult time finding the expert witnesses to take their time for that dollar figure of \$10.

SENATOR CAVANAUGH: Well, they can be paid for their services, anyway, in case of experts. This is for regular subpoenaed witnesses.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Mr. President, members of the Legislature, it is not very often I have to go against Senator Cavanaugh but I guess he hasn't been a witness too many times. He probably has been on the other side of the fence but he says that we use...they are very seldom in there for a very...for