

SENATOR HALL: They took no position. They may currently support it and I think they do, but at that time they did not take a position.

SENATOR HIGGINS: I see. Well, they just told me that they did support your bill or perhaps they didn't appear for it, but they do support it. Senator Johnson made the remark that Omaha wants postjudgment because they have committed sins of omissions and gaps. I presume he is referring to the unfortunate accident when a tree fell down upon a bicyclist, not during a storm, but during a very high humidity day and when even the best of foresters could not explain it except that it happened to be the temperature was right, et cetera. If that is a sin of omission on the part of the City of Omaha, not to be able to inspect millions of trees, I just don't know how a city that size would possibly be able to go around and inspect every tree and see if it's ready to fall when the temperature reaches a certain degree, even though it is a healthy tree. I introduced an amendment that no attorneys would be given any part of prejudgment interest and the attorneys said that was agreeable to them. I shall now introduce an amendment that no attorney will receive any part of any postjudgment interest and I should like to see if they agree to that also and that the check made out to the plaintiff if they are successful be made out only to the plaintiff and not to the plaintiff and their attorney. I'm beginning to have my doubts about the sincerity of the attorneys now when they bring up this 14 percent. I would ask the body to think of one thing. When a city is sued, and Senator Smith tells me Hastings is not represented by the League of Municipalities, so I'll stand corrected on that, Senator Smith. She just said she is probably wrong. But at any point I think that as long as the attorneys are not going to be getting prejudgment interest, they should not get postjudgment interest either and I'm going to introduce that amendment.

SENATOR LAMB: Thirty seconds.

SENATOR HIGGINS: And I'm beginning to doubt the sincerity now. Before I thought they really wanted to bring these trials to a close and to end the delay in various cases, but as I listen to them stand up and argue, they're just getting me to the point where I don't know which way I'm going to vote now. Thank you, Mr. Chairman.