

SPEAKER BAACK: LB 434 is advanced. Go to LB 435.

CLERK: LB 435, introduced by Senator Chizek. (Read title.) The bill was introduced on January 18 of 1991 and referred to Judiciary, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BAACK: Senator Chizek, this is the first time you've ever had two bills that were that good. That's unusual.

SENATOR CHIZEK: Gosh, I don't know how it happened.

SPEAKER BAACK: Senator Chizek.

SENATOR CHIZEK: Mr. President, colleagues, 435 also is a part of the overall automation project that we talked about on the previous bill. The court administrator had discovered, in working on the automation projects, that there's quite a number and variety of processes in use when we're paying state witnesses. There are two reasons behind LB 435. First, the bill will ensure that witnesses are paid in a timely manner. Some of you have probably heard from your constituents on this issue. One of the things that happens now, in some communities, is a witness who is called in a criminal case may have to wait until a defendant pays the court costs. Only then, when the court determines that it cannot collect from the defendant, does the court pay the witness from the court's fund, which usually entails the passage of two or three months. Often then it's a long time before the innocent witness is paid his or her witness fee, after the witness has often traveled, taken off work and traveled some distance to court to testify. The other reason, as I indicated, would be to establish a uniform procedure, and that would enable the court system to better deal with the process from an overall system standpoint. A process would be established by the administrators office whereby a claim being made by a witness, the witness is paid. After the court system collects the money from the defendant the money simply goes back into the treasury of the subdivision, county or city from which the fees were originally paid. Because the political subdivisions were reimbursed... would be reimbursed under LB 435, just as it has been under current law, there is no fiscal impact. And I would ask you to advance LB 435.

SPEAKER BAACK: Thank you, Senator Chizek. Any discussion on the advancement of LB 435? Seeing none, do you wish to close,