

February 23, 1979

LB 117

SENATOR MARSH: One minute.

SENATOR CHAMBERS: ...disputes between citizens. No, I have ten minutes, and I know I haven't talked that long. It may seem like it, but I'm sure it's not that long. I offered the motion, so I get ten minutes. They get five minutes apiece. It is not being used primarily to settle disputes among citizens when you raise the jurisdictional amount to a thousand dollars. It will be abused. The nature of the Court will be changed, and we no longer have a Small Claims Court. I'm asking that you bring this bill back and strike the enacting clause, but if the introducers are willing to negotiate, we might be able to reach a different accord.

SENATOR MARSH: Senator Stoney.

SENATOR STONEY: Madam President and members of the Legislature, I rise in support of Senator Chambers' motion to return this bill and strike the enacting clause for this reason. I am a member of the Judiciary Committee that held the hearing on this bill. We did have testimony from Judge William Ryan of Douglas County who is a Municipal Court judge and has been the presiding judge and, ladies and gentlemen, there is no perceivable need for increasing the present \$500 amount. The court was formed in 1973. The information that we were given is that the present award, or judgment, on average is \$217. No that is less than half what the maximum is that is established presently. The judge also advised us that over the past five years, since the inception of this court, there has been an increase on average of \$10 annually, \$10 annually since 1973 to a present amount of \$217. Ladies and gentlemen, at that, \$10 for the next twenty-five years will maybe reach the maximum of \$500. So there is really no perceivable need. Another point that Judge Ryan made was that an individual when the amount is increased, can be damaged if they are not aware, and the amount is increased to \$1,000, they are not aware of what all their rights and all might be, do not have the expertise and the advice of an attorney. It can work to their detriment. So I, too, favor Senator Chambers' motion and hope that you will also.

SENATOR MARSH: Senator Johnson and then Senator Beutler.

SENATOR JOHNSON: Madame Chairman and members of this august body, these arguments that both my esteemed colleagues, Senators Chambers and Stoney, are presenting have been presented before. They were first presented to the Judiciary