

ordinance violations were handled exclusively by a justice of the peace or police magistrate neither of whom were required to be lawyers. It was the consensus that Omaha was large enough to warrant a more professional court, consequently in 1915 the Omaha and South Omaha city municipal courts were created with the requirement that the judges be lawyers. So it was an attempt on the part of the municipalities to professionalize their judiciary system that led to the creation of the municipal courts or at least that is the most likely explanation. Since that time we have moved in a number of directions to professionalize all of the courts of this state and we have professionalized now the county courts of this state. All county court judges must be lawyers. So essentially there are no differences now between the types of services that are being provided by the county courts and the municipal courts except of course for the subject matter jurisdiction. That I think is the best explanation I can give you of why there was that kind of a development. Senator Haberman concentrated on Omaha but this bill applies to Lincoln also and Lincoln does not have the same financial problems that Omaha has. With that I think I will stop, Mr. Speaker, and ask you to reject the motion and remember just the basic fundamental arguments of fairness. Thank you.

SPEAKER MARVEL: Before we proceed, under the South balcony we greet Mr. and Mrs. Marvin Caspers from Auburn, Nebraska, who are guests of Senator Remmers from District #1. Will you hold up your hand so we can see where you are. The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. President, members of the Legislature, what we are talking about here is shifting this expense of municipal judges from the municipalities to the state. There is a solution to this that is very simple. Why don't we just make the municipal judges county judges? Then the state would pay the entire thing. Senator Beutler said there is no difference in county judges and municipal judges. I thought there was. I thought municipal judges had the special skill and special area in which they practiced that made them a little bit different than county judges. Next, what are we going to do about the pensions? How do we merge those in? Thirdly, what about the fringe benefits? How are we going to merge those in? It seems to me that this proposal should have a little study, have a little careful planning before we jump into it. If they, the municipalities and there are only two or three, don't want to pay for these municipal judges, make them county judges and the state takes over. If we want to maintain municipal judges, then in my area I want to have municipal judges too at your expense. I think Grand Island wanted municipal judges but I'm not sure of that. But if we