

March 4, 1996

LR 952

SENATOR MAURSTAD: Okay.

SENATOR CHAMBERS: Does that person have a right to appeal that finding?

SENATOR MAURSTAD: Certainly.

SENATOR CHAMBERS: Now that...that appeal does not exist under the law, presently, does it?

SENATOR MAURSTAD: No, because...

SENATOR CHAMBERS: Because it's not an issue.

SENATOR MAURSTAD: No, it's not. The only issue...

SENATOR CHAMBERS: So...

SENATOR MAURSTAD: The only issue...

SENATOR CHAMBERS: Now, let me finish, let me ask the question. Does an appeal take additional time?

SENATOR MAURSTAD: There is without question that whether or not it's the vehicle owner that is appealing, or the city itself, or the state itself that's appealing, that additional time is a part of any appeal process.

SENATOR CHAMBERS: Thank you. Members of the...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: Members of the Legislature, I hope you see why this is going to take us a good, long time just to establish what this language actually does. Every time you put an additional hoop for the innocent party to jump through, you are, in my opinion, creating an additional injustice. What becomes of that person who needs this money and it's not forthcoming? Maybe the hope of the subdivisions is that if it can be dragged out long enough through litigation, that person will die if the injury is serious enough. You cannot get the money it takes to treat your injuries. Mrs. Cappiello was mentioning what a terrible thing it was for her to exist between the time of her injury and when she recovered, and she didn't have all these