

you know, out of court they don't even come to trial because people don't like to go there. But what they are going to do is say have a trial by jury. The judge has to call a jury. It is going to be heard without a jury in the first place because it will be settled ahead of time. The guy doesn't want to go into a jury trial. The plaintiff on it doesn't want to go into a jury trial. So what happens? It is going to cost the county about \$400 to call in a jury. You are not going to have any jury. It is going to be a real hardship. The only thing bad about this law is what Senator Johnson put on originally was to have a jury. If he had left it alone we would have been in good shape. Now he is changing it back and I would certainly support him on that because you don't need that. You still have the appeal process if you want to go to a higher court and that is the way it should be. Thank you.

SPEAKER MARVEL: Senator Lamb, Senator Chambers and then Senator Marsh.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I also agree. Senator Johnson, I thought I would never vote with you on another issue this term of the Legislature, Senator Murphy, especially you and now Senator Clark showed on the radar bill that he has very good, sound, solid intelligence, but I'm joining them in supporting Senator Johnson on his move.

SPEAKER MARVEL: Senator Marsh.

SENATOR MARSH: Mr. Speaker, members of the Legislature, the proposal which Senator Johnson has offered for us is protecting the small person in our State of Nebraska. I also urge your adoption to return the bill and adopt the proposed amendment.

SPEAKER MARVEL: The question has been called for. Do I see five hands? Question before the House is shall debate cease. All those in favor vote aye, opposed vote no. Record.

CLERK: 29 ayes, 0 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. Senator Johnson, do you want to close on your motion to bring the bill back?

SENATOR JOHNSON: Yes, I do, Mr. Speaker. Again the purpose of this amendment very simply is to say that when a defendant is hailed in a small claims that poor defendant is going to have to grit his teeth and go through the small claims without a lawyer and without a jury trial. In the end if the defendant wins, that is probably the end of the case, but