

May 1, 1981

LB 99, 385

About 90 percent of your County Court costs are born by the state, so your counties are not picking up their net loss with respect to fees...however, in the City of Lincoln and in the City of Omaha we are. Our Municipal Courts, if they operate at a loss, are paid for by city funds, property tax funds, if you will, and our city courts have been operating at a loss because the fees that have been generated by the cases have not kept pace with the expenditures to keep those courts in operation. The difference right now in the City of Lincoln between what we raise through fees and our court costs and the cost to the courts rather is roughly a half a million dollars. We have about a million dollars of expenditures in court personnel and all of the functions of the court, but we raised only \$451,000 through court fees, and this shortfall of about half a million dollars is born by the City of Lincoln through its property tax. One fact that is very significant is that in your area when there is a highway patrolman that brings in somebody for a fine or a county sheriff, or the like, they take them into your County Courts and those County Courts are essentially state funded, but here in the City of Lincoln where we operate at a loss because the fees are set so low statutorily these state cases, these highway patrol cases are being funded because of Lincoln taxpayers. Roughly 20 percent of the caseload in the Muni Courts are cases from the highway patrol and the county sheriff traffic cases and the like outside the City of Lincoln, and yet Lincoln taxpayers are picking up the shortfall. It is simply a matter of keeping pace with inflation and the costs of opening and keeping open a Municipal Court. Again the essential distinction being that Municipal Courts are funded by the city and our city is now paying roughly half a million dollars to keep the courts open because we can't generate enough money because the Legislature hasn't given us an increase in 10 years in the ability to raise money through fees. And with that, I will open myself up to questions from the body in the event you have a specific area of information that you would like to know about that I have not made clear. Thank you, Mr. Speaker.

PRESIDENT: Any further discussion on LB 99? Senator Landis, I guess that is the opening and closing, and the question before the House is the advance of LB 99 to E & R Initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 99 is advanced to E & R Initial. The next bill on the consent calendar is LB 385.