

SENATOR HANNIBAL: I've heard of them.

SENATOR CHAMBERS: And you know what a...what I'm trying to get at, what is it that you don't understand about the amendment?

SENATOR HANNIBAL: Well, I'm reading the underlined language for the first time and it takes me a long time to understand laws in general and I'm seeing that there is some language put on here that says that either party can ask for a jury trial and it says that, the scratched out language says that "except such suits shall be heard and determined by the appropriate court without a jury." Now my question is, what are the advantages or disadvantages? My guess is that there probably is no real need for this situation to have to come in, but I honestly don't know what the ramifications are. I do know that in many cases in jury trials that sometimes skillful attorneys such as Senator Hoagland can elicit settlements that some people might say were beyond reason, whereas an appropriate court might be a little more objective and if that is the case, if this would be proliferating that kind of a situation, I wouldn't think that would be real reasonable.

SENATOR CHAMBERS: Senator Hannibal, have you been aware of cases where a jury would make an award and an appeals court would consider that award to be excessive and cut it back and in some cases maybe even cut it down to \$1.00?

SENATOR HANNIBAL: I'm not personally familiar with them, but I'm sure that that could happen and probably has.

SENATOR CHAMBERS: Would the city, based on your understanding, have the right to appeal if they should lose a decision in a lower court?

SENATOR HANNIBAL: I assume that is correct, yes.

SENATOR CHAMBERS: Thank you. Members of the Legislature, every safeguard that any citizen would have, the political subdivision would have. If you're going to take away, and that's what you're doing, you're taking away a four-year period during which a claim can be filed and reducing it to one year. A jury trial is not an unreasonable item to have associated with this kind of action. Political subdivisions are able to get from legislatures much of what they want,