

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

February 1, 2000 LB 175

CLERK: (Record vote read, Legislative Journal page 511.)  
6 ayes, 27 nays on the motion to bracket, Mr. President.

PRESIDENT MAURSTAD: The motion is not agreed to. Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to reconsider the vote just taken.

PRESIDENT MAURSTAD: The call is raised. Senator Chambers, you are recognized to open on your motion to reconsider the previous question.

SENATOR CHAMBERS: Thank you, Mr. President. And now I'm going to discuss some of the specifics of the law as it exists now. There are two circumstances that affect the property of a tenant. One is where there is a public sale, the other is where the landlord can filch it. And this is what the present law says, if a sale is to occur. A notice given pursuant to Section 69-2303 shall contain one of the following statements, as appropriate. Subsection (1), if you fail to reclaim the property, it will be sold at a public sale after notice of the sale has been given by publication. You have the right to bid on the property at this sale. After the property is sold and the costs of storage, advertising, and sale are deducted, the remaining money will be turned over to the State Treasurer pursuant to the Uniform Disposition of Unclaimed Property Act. You may reclaim the remaining money from the office of the State Treasurer as provided in such act. Now what money is deducted from this property that is sold? Not rent, that's not deducted, but the costs of storage, advertising and sale. So what is the landlord trying to get out of this? Who knows what evil lurks in the hearts of landlords? Senator Hilgert and Senator Quandahl probably know, but I don't. Oh, and "Governor" Radcliffe would know. Subsection (2), this is the filching section: because this property is believed to be worth less than, whatever the amount turns out to be, it may be kept, sold, or destroyed without further notice if you fail to reclaim it within the time indicated in this notice. So under the first provision, if there is to be a sale, notice must be given. Under this provision, if the landlord just says he or she believes it's worth less than a certain amount, the property,