

person who leases is careless in demanding...let me read it. "For the purpose of this section, it shall be presumed that a lessee's failure to return leased or rented property to the lessor within ten days after the expiration of the lease or rental agreement is done with intent to deprive." It doesn't even say that the lessor has to ask for the return of the goods. It could be a case where a lessor has allowed without putting anything in writing the lessee to retain it. An argument could develop or any other thing. Then the presumption is created by this statute that the lessee did it with criminal intent. Now certainly you can go to court and attempt to prove that you did not have criminal intent but you hire a lawyer, you have a criminal charge brought against you, and when you have done something which is criminal, you can be placed under arrest. You could be a farmer sitting out there on a tractor that you couldn't return because the weather was bad or any other reason and here comes the sheriff saying, Senator Vickers, let's go, put the cuffs on you, mace you, slap you up the side of the head a couple of times with his club to get your attention and drag you off to jail. You are a criminal. At least you are presumed to be one because ten days elapsed since the lease ran out. You can say, well, the lessor did not let me know that the lease ran out. He didn't ask for it back. The law doesn't require that. It doesn't require anything other than the ten days to pass, and I think that when these judges, individual judges, have a problem with the law and say put a proposition in statute because there is a particular kind of situation I want to handle in my court room and I am willing to put this burden on everybody in the state, the Legislature should go slow in enacting laws like this. I don't think that this type of amendment ought to be added to this bill. I think there should have been a deep discussion and there should always be a discussion of what the philosophy of crimes and punishment is in this state. You don't have an intent to deprive anybody. You don't have any conduct which is illegal except for this new criminal provision that is being put into the statute. There are people out there right now who probably as soon as this is put in place will be in the position of criminals, but you can't take a law, a criminal law and put it on the books and convert conduct which prior to the law was innocent into criminal conduct and punish people for conduct committed prior to the enactment of the law. But if they continue in that status after the law is passed, then from the date of the law they wind up in the position of being a criminal. I think when you have a multiplication of laws designed to convert citizens into criminals when the conduct they engage in is not assaultive, it is not destructive of anybody's