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and he or she has failed within ten days after such notice to return such property. The Judiciary Committee has been contacted by numerous rental agencies throughout the state that since enactment of the criminal code, the lack of specific statutes in this area has made it most difficult to get law enforcement assistance to return leased or rented property. The law prior to enactment of the criminal code contained a specific provision which included the presumption of intent to deprive if after three days of the expiration of a rental agreement, such property was not returned. The previous law also provided for a mailing of such notice. The Judiciary Committee amendment provides that such presumption will arise after a ten day period after such notice has been mailed. Once again, this presumption was contained in the old criminal code and those most directly affected by its provisions have asked the Judiciary Committee to include this section within the current criminal code. I move for the adoption of this committee amendment, Mr. Chairman.

SPEAKER MARVEL: Senator Chambers. We are on the second set of committee amendments. Right, Senator Nichol?

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I had been opposed to this provision when the bill was originally before the body because there was not a provision requiring notice to the one who had rented the property and not returned it, prior to maybe being confronted by a law enforcement officer. Since the new draft of the amendment requires notice before this other machinery goes into play, I think that the amendment is very good and is fair. One of the biggest problems that was presented to the committee dealt with heavy construction equipment and other large types of items which some people will take out of the state and unless there is a basis in the law for declaring this property to have been stolen or establishing some basis for its being considered stolen, there was no way for a law enforcement person in another state to do anything about it because the property had not been illegally seized and was not, therefore, being illegally held in a criminal sense. So I think the amendment is valid and I will vote for the amendment, but I don't want the remarks I am making on this amendment to be applied to the entire bill.

SPEAKER MARVEL: Senator Johnson. We are on the second Judiciary Committee amendment.

SENATOR JOHNSON: Yes, Mr. Speaker, members of the body, I am looking at the amendment. Apparently we have the