

are all convinced at this point that probably we are better off with that out of the bill so we can have a good bill and get it signed by the Governor and through. So we are dropping the new language that has to do with the seizure of vehicles. As you remember, as you may recall, a motor vehicle could be seized and held until disposition as determined by the court but there are no standards set up for how long the court can hold it which is a serious problem with the bill. It allows for the sale of it but it doesn't say what happens to the proceeds or who pays the cost. It is tremendously overbroad. It doesn't say what happens to a lot of creditors' rights when this sale is made. So there would be problems and court cases in that regard. Altogether in our criminal law as you are aware we don't say that the law can go out and seize your property because you committed a crime. You pay for your crime by a fine or by going to jail and not by seizure of property. This kind of reflects back to medieval days when the king took all your property when you did something bad from the king's point of view, confiscation. It is really a medieval concept so I would ask that you adopt the amendment and get out the bad portions and move on with the good portions. Thank you.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President, members of the Legislature, I am very much in support of this amendment which Senator Beutler and I cointroduced. I think that it was brought to my attention by a number of residents in my district. I have here about six or seven pages filled with signatures specifically dealing with the concern they have about the seizure of property. I think that they might evidently live with the rest of the provisions of the bill but the concept of taking somebody's property, as Senator Beutler talked about, is something I think we have pretty well abolished in this state. The criminal code revision did that and I think that we have recognized the futility of trying to do that and I think that it really doesn't make much sense. I am pleased that Senator DeCamp is supporting this amendment. I think that probably this is the worst possible time you would want to seize somebody's property in these cases because frequently I get the impression, I am just guessing on this, but my impression is that these people are hotrod people type. They have a car. They are out there and they are causing some trouble and some policeman goes after them and the car is an important part of their lives and then to have the police come after them and to realize that if they are caught their property will be seized and sold might just give them the extra incentive to actually keep running, to keep trying to get from being caught by the police, and in