

would urge this body to move and advance LB 36. Thank you.

PRESIDENT MOUL: Thank you, Senator Kristensen. I will now recognize Senator Smith, followed by Senators Pirsch, Conway, Schimek, Robak and Wehrbein. Senator Smith.

SENATOR SMITH: Thank you, Madam President. It won't take me very long. Senator Kristensen, I would just like to follow up a little bit then on the questions that I asked you. I've been contacted by a couple of landlords in my district and they were asking about whether or not rent which is left still owed to them, when the person moved out leaving their property, could be included in...would this be construed as being or another person having an interest in funds? Could that be deducted before the...whatever is left over if anything goes to the state?

SENATOR KRISTENSEN: You asked me the question, could it be included? Yes, it could. Legally, yes, we could do that. I did not choose to do that because, to me, it takes out of the balance of where we're at right now, that if you are a landlord and you rent to people, you run the risk of people not paying you. That's the reason you get damage deposits in advance. That's the reason you shouldn't let people get more than one or two months behind in their rent, and that the landlords have to take some affirmative action to protect their rent. If I'm a landlord, I don't like that because somebody can not pay the rent and move out and I am stuck. That's the reason that you have other available means of collecting that and we do that in Nebraska law for other reasons. But to answer you specifically, yes, you could put that in there. I think that that might destroy the balance between landlords and tenants and it might give more power to the landlords and, thus, they might be more likely to want to increase those costs of getting that property so they could get their rent back, would be my initial consideration.

SENATOR SMITH: All right, thank you.

PRESIDENT MOUL: Thank you, Senator Smith. I'll now recognize Senator Pirsch.

SENATOR PIRSCH: Thank you, Madam President. I have some questions for Senator Kristensen. I think this is probably a great idea to put these kinds of things into law. It's a very unwieldy bill and there are some questions I have on perhaps