

SENATOR KRISTENSEN: Thank you.

SPEAKER BAACK: Thank you, Senator Robak, we'll now proceed to Senator Wehrbein.

SENATOR WEHRBEIN: Yes, Mr. President, members, Senator Kristensen, I have a couple of questions. I don't mean to complicate it. If you'd yield to a couple of questions.

SENATOR KRISTENSEN: Oh, sure.

SENATOR WEHRBEIN: One, however, was brought up by Senator Conway about applying to storage facilities which you've answered so I won't go into that. The other one is and here, again, I don't want to complicate this as applying to...I'm thinking of farm sales and I know there would be real property as well as personal property involved. I'm thinking of...I find out it is not uncommon for things to be left after a farm sale for up to six months. In fact, I'm personally acquainted with one. Does this have any implication to the landlord-tenant relationship on that? Let's say a tenant is on a...has been a lifelong tenant and has a farm sale. These things are sold, they are not picked up, which is not uncommon to go over the six months. Can the landlord, could he feel comfortable in following this particular procedure or would this not apply here?

SENATOR KRISTENSEN: Yes, it can apply in certain areas and I would direct your attention to page 10, Section 8, and this talks about if you do sell those items, and look at lines 10 through 13, the successful bidder's title shall be subject to ownership rights, liens and security interests which have priority by law. So if someone bought that property at the sale, never picked it up, the tenant takes off and the landlord says, I've got my property back, what am I going to do with this? If the landlord has some reason to believe that someone else may own the property, they have to give notice. If they have no idea, they go ahead and sell it, whoever buys it, if the true owner can come back and show ownership rights under this bill, you can't defeat true ownership rights or security interest because some of the stuff they abandoned may well be secured and I'm not upsetting the bank's priority rights by doing this.

SENATOR WEHRBEIN: Okay. So that reverts to probably, you might