

say, present law?

SENATOR KRISTENSEN: Yes.

SENATOR WEHRBEIN: Under those particular...

SENATOR KRISTENSEN: Exactly.

SENATOR WEHRBEIN: Thank you.

SPEAKER BAACK: Thank you, Senator Wehrbein. We'll now proceed to Senator Will.

SENATOR WILL: Thank you, Mr. Speaker. I wonder if Senator Kristensen would yield to a question.

SENATOR KRISTENSEN: Yes.

SENATOR WILL: Senator Kristensen, as I look through the definition section of LB 36, I don't see a definition of personal property, and I guess it occurs to me that probably in a very technical sense, no one ever vacates an apartment without leaving behind some personal property of some type like a pen or a lobby pin or something like that.

SENATOR KRISTENSEN: Right.

SENATOR WILL: Could this be construed as requiring a landlord almost always to give notice to the tenant that has vacated an apartment?

SENATOR KRISTENSEN: Well, I think that you have to balance, if they've left behind, let's say a \$5 lunch pail, what is your liability? You know, what are the chances that they'll come back and sue you to do that, and I think that's where the bill becomes impractical application. You have to balance your...what you think your exposure is for the needs. That's the reason that you know that lunch pail is certainly under \$250. If you want to be absolutely sure that you're not going to have any liability, you send them the notice. If it is under \$250, there is not going to be a sale or anything like that and off you'd go. As far as the definition of personal property, I think regular Nebraska law would apply. In Nebraska personal property is anything that isn't real property.