

January 25, 1995 LB 161, 175

ASSISTANT CLERK: 25 ayes, 0 nays on the motion to advance the bill.

PRESIDENT ROBAK: LB 161 advances. LB 175.

ASSISTANT CLERK: (Read title.) The bill was read for the first time on January 6 and was referred to the Judiciary Committee and that committee reports the bill to General File with committee amendments.

PRESIDENT ROBAK: The Chair recognizes Senator Lindsay for committee amendments on LB 175.

SENATOR LINDSAY: Thank you, Madam President, I think you probably caught me on the phone or something.

PRESIDENT ROBAK: It's LB 175.

SENATOR LINDSAY: Thank you. Madam President, members of the committee, the bill deals with liens, excuse me, deals with evictions and again, have to give a little bit of background on the bill. In an eviction case right now, in some counties at least, the property is removed from the premises and left out on the street or the sidewalk. Lancaster County or the City of Lincoln, I should say, had a concern with that because of the things that were included in that personal property, it's moved out onto the street and they had a concern that ultimately they had to dispose of it. The problem we ran into was that in the bill itself, because of a drafting technical error, it would have caused some problems with evictions. It would have caused a technical problem that would have made it difficult to get a writ of restitution. So the committee amendments which were worked out with both sides of those, with some of the people that testified and with, I believe, the sponsor of the bill, does not have an objection to them. What it would do is to require that property, when it is removed from the premises, comply with the disposition of Personal Property Landlord and Tenant Act. What that provides for is that the property, if it exceeds the value of \$250, the property is held for a period of not less than seven, not more than 14 days and during that time it is, you're notified, the tenant, where the property is and where they can get it, where it's, how it's going to be disposed of if they don't get it. If the property is less than \$250, the landlord is entitled to simply dispose of the property. It is