

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

January 27, 2000 LB 175

SENATOR CHAMBERS: ...of you thinking that all you have to do is say you're opposed to a bill and we're going to throw in the towel. Well, this is one that we're going to stand against you on. And I say, fine. You can do that every time, but you ought to do like me. You ought to consider the significance of the bill that you're willing to fight on and what impact it has on others. The reason I'll fight to the end on this one is because it involves the rights of the people who are least able to defend themselves, who can least get legal assistance, and who oftentimes are gouged by landlords before they get rid of them, and whatever the security payment is, it manages to have been completely consumed when these people move out no matter what condition they leave the place in. But I will continue on that later.

SENATOR SCHIMEK: Thank you, Senator Chambers. Senator Landis, you're recognized to speak.

SENATOR LANDIS: Thank, you, Madam President and members of the Legislature. Ernie actually named a concern that all of us have to have at some point, and that is, look, every now and then we got to make sure that we pick issues that we want to fight and, in fact, we are prepared to go to battle on. And if this was one of those fights, I'd do it myself, but, in fact, I'm going to vote for the bracket motion, and I'll tell you why. I think there is two problems with the bill. One, and I don't know a lot about this but I've got a friend who I respect a great deal. His name is Ron Volkmer. He is on the Creighton University Law, College of Law staff. And Ron and I work together a lot in the mediation area, alternative dispute resolution. I've come to admire him greatly and he said to me, Dave, look, it just...it's short enough as it is. Courts have a tough time with this exact...with this exact...existing rule of time frame. There isn't a definition of contesting calls for. If you shorten it up to three days, I think that you've got a serious problem with giving people genuine due process. I don't like the substance of the bill. I don't think it's fair to the people who get as limited notice as this calls upon. So there is that thing. There is a second thing. Landlord-tenant law is essentially driven by the Uniform Landlord-Tenant Act, which we passed with some modifications. It was the last time tenants and landlords